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XLVI

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

(22)

1748-1751

PUBLISHED BY AUTHORITY OF THE STATE UNDER THE DIRECTION OF THE
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J. HALL PLEASANTS
Editor

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LETTER OF TRANSMITTAL.

BALTIMORE, *January* 1, 1929.

To the Maryland Historical Society.

GENTLEMEN:

Your Committee on Publication has the honor to submit the Forty-Sixth Volume of the *Archives of Maryland*. This contains the Proceeding and Acts of the General Assembly of Maryland of the Sessions held from 1748 to 1751 inclusive, and forms the twenty-second volume of the Assembly series.

The European background upon which American affairs were projected when the Assembly met in session in 1748, found Great Britain still engaged with France in what in the colonies was called King George's War, but when the Assembly met in 1749, Governor Ogle was able to congratulate the province upon the restoration of peace, which had been effected by the recently signed treaty of Aix-la-Chapelle.

Samuel Ogle, who had entered upon his third term as Governor in 1746, continued to serve in that capacity during the period covered by this volume, and died in office, May 3rd, 1752. He was an excellent governor, and the controversies which took place between him and the members of the Lower House, who were of the Country, or anti-Proprietary party, at the time usually in a slight majority in this body, were due rather to the rising spirit of independence then developing in the colonies, than to any feeling of ill will towards the Governor himself, who was tactful and personally popular. As the General Assembly did not meet in 1752 until after Ogle's death, this volume completes the story of the activities of the Assembly during his last administration. The Country party was continually at loggerheads with the Proprietary party as represented by the Governor, the Upper House, and the followers of the Proprietary in the Lower House, usually in the minority here. Charles, the fifth Lord Baltimore, died, April 24th, 1751, and his son Frederick, the sixth and last Lord, then a minor, became Proprietary. With Frederick's delinquencies later volumes will deal.

The Session which met May 10th, 1748, concerned itself largely with military defense and the question of levying export duties on tobacco for the purchase of munitions. The Governor also urged upon the Assembly the necessity of strengthening the ties of friendship with the Iroquois, to offset the alliance between the French and the Algonquin or "Canada Indians." Little important legislation was enacted at this Session, however.

At the opening of the Session which met May 9th, 1749, the Governor congratulated the Assembly upon the restoration of peace, and upon the beneficial effects on the trade of the province of the recently enacted tobacco inspection law. An acrimonious dispute between the Governor and the Lower House in regard to the method of election of its clerk, arose immediately after the Assembly convened, and the Governor promptly prorogued the Assembly. The question at issue was whether the formal approval by the Governor of the choice of the Lower House of its clerk, as had been the custom, was a necessary preliminary to his assumption of that office. The qualifications of Michael Macnemara, who had previously served in this capacity, were not at issue, as there was no question as to his fitness. After several conferences the majority of the members of the Lower House yielded to the Governor, who called the General Assembly together in session again a few days later; the abortive meeting of the Assembly, which had lasted but three days, being styled in the records not a *session* but a *convention* of the Assembly. Macnemara was at once chosen clerk, his selection was approved by Ogle, and he was promptly sworn in.

Election abuses engaged much of the attention of this Assembly. The Lower House refused to seat the delegates from Cecil County because a member of the Upper House was alleged to have "intermeddled" in favor of their election, and a new election was ordered. The Lower House concurred in the report of its Committee on Elections and Privileges, deploring the fact that candidates for election to the Assembly in certain counties "not only at the immediate Time of such Election but a long Time before, both by themselves and their Agents . . . give uncommon Entertainments and great Quantities of strong and spirituous Liquors to the Electors of such Counties, thereby engaging the Promises of the weaker Sort of the said Electors to Vote for them . . . to the destruction of the Health, Strength, Peace and Quiet, and to the Corruption of the Morals of his Majesty's loyal Subjects." The Lower House by a vote of thirty-one to fifteen passed a bill to prevent persons holding other "Offices and Places of Profit and Trust" from sitting in the Assembly, but it was rejected by the Upper House. The great majority of laws passed at this Session were unimportant and local in character.

The Session which met May 8, 1750, accomplished little. The Lower House passed resolutions condemning the allowance of double pay to members of the Assembly, who on the same day attended a session of this body and served as magistrates, and also protested against double pay for members of the Upper House who on the same day sat in that body and as judges of the Court of Appeals. The Lower House passed a resolution by a vote of thirty-four to

seventeen favoring the establishment of a college on each shore, to replace the existing county schools. The Upper House failed to concur in any of these actions of the Lower House. The laws passed at this session were largely local in character; the most interesting of them was probably the act adding twenty-five acres to Baltimore Town. The acts of a general character of the greatest importance were those strengthening the tobacco inspection laws and regulating its shipment.

In his speech opening the Session which met May 15, 1751, the third session of the Assembly elected in 1749, the Governor urged the enactment of a law by which the exportation of corn might be prevented when the shortness of the crop, as during the past winter, threatened the well-being of the people. He also urged the improvement and straightening of the roads and the removal of the innumerable gates which obstructed the highways. The future construction of canals was also touched upon. The importance of promoting more friendly relations with the Indians was urged, but the Assembly seems to have completely ignored all these recommendations of Ogle, however, and instead of enacting needed legislation for the benefit of the province, the Lower House promptly began to stir up the dormant fires of religious bigotry. The fear of another war with France, and the recollections of the recent Jacobite uprising in Scotland, were factors contributing to the demonstration now made in the Lower House against the Roman Catholics. The Committee on Grievances and Courts of Justice of the Lower House reported to that body, that unless checked, the growth of popery in the province would become a grave menace. The report declared that the Roman Catholics sent their children abroad to St. Omar's and other papist seminaries to be bred in that religion, that large tracts of land were held by the priests, that the Jesuits lived together in communities having "public mass houses," some of them even conducting schools, and that there were numbers of priests in the back settlements ready to corrupt the foreigners against the English. Charles Carroll of Annapolis, the father of Charles Carroll of Carrollton, described as "a powerful and leading Roman Catholic," incensed by these reflections upon those of his faith, posted an "advertisement" upon the door of the Lower House while this body was in session, which caused the House to order his arrest by the sergeant-at-arms. The contents of this "advertisement" are not disclosed, but were felt by the House to contain "matters scandalous and malicious, reflecting upon the proceedings of this House in general and a member thereof in particular." Shortly afterwards Carroll was turned over by order of the House to the sheriff of Anne Arundel County, who was directed to keep him close confined "until he made a due submission and be discharged from such confinement by

order of this House," but a motion to confine him in the "public gaol" was defeated by a vote of twenty-eight to twenty-two. No further action seems to have been taken, and he was probably automatically released by the ending of the session two days later. A bill was introduced and passed by the Lower House placing additional disabilities upon the Catholics, but the Upper House, which had taken no part in the anti-Catholic agitation, allowed it to die. The Governor, however, in reply to a resolution of the Lower House promised, in conformity with the laws actually then in force, to appoint only "good protestant subjects" to offices of trust, and to induct only clergymen of the orthodox faith into livings in the province.

No new legislation of importance was enacted at the Session except that the laws regulating the inspection and shipping of tobacco were further strengthened. A curious act was one continuing in force the law of 1747 prohibiting "the sale of strong liquors and running of horse races near the yearly meetings of the people called Quakers." At this Session was passed the Act establishing Georgetown, then in Prince George's County, and now in the District of Columbia.

The first Session of the new General Assembly which had just been elected, was called by Governor Ogle to meet December 7, 1751. The Governor announced the recent death of the Proprietary, Charles the fifth Lord Baltimore, but expressed his satisfaction that Frederick, the new Proprietary would soon be of age. The Session lasted only about a week; it was called to secure legislation validating sundry actions at law and legal processes taken in the name of the late Proprietary, after his death had actually occurred, but before notice of this event had reached the province. A resolution of condolence upon the death of Frederick, Prince of Wales, addressed to the King, was passed by both houses. No other legislation of importance was enacted, but seats were refused in the Lower House to the four delegates from Baltimore County whose election was declared irregular, and seats were also refused to two delegates from Kent County, because one already held the office of inspector of tobacco, and the other was the keeper of an ordinary at the time of his election. This was the last session of the Assembly which met under Ogle, who died May 3, 1752.

Frequent reference will be found in this volume and in other Maryland archives of the eighteenth century to the Iron Chest which was used as the depository for the paper money issued by the province. It is interesting that this large iron strong-box or chest, ordered in 1733 by an act of the Assembly, after its use was discontinued about the time of the Revolution, disappeared from sight and was supposed to have been thrown away or destroyed. About

1885, while repairs were being made to the old Council Chamber, or Treasury Building near the State House, in cutting through a new window the Iron Chest was found walled up between the original outside wall of the building and a more recently constructed inner wall. In it was found a book of accounts and the woodcut block from which the provincial paper money was printed. A few years ago the chest was turned over to the Maryland Historical Society, together with the beautifully bound contemporary manuscript volume of accounts, covering the period from 1734 to 1767, entitled "Iron Chest Account Book No. I," which apparently contains a complete record of the uses to which the chest was put during this period and the amount of money deposited and withdrawn from it.

A word as to the sources from which the proceedings of the two houses of the Assembly and the laws enacted by them, as they appear in this volume, are taken. The State possesses not only the contemporary official manuscript record of the proceedings of both houses beautifully inscribed in well-bound parchment covered folio libers, but also the original rough notes kept day by day by the clerks of each house. The contemporary official copies of all the acts passed at the various sessions of the Assembly are recorded in another series of libers, and in the Court of Appeals numbers of the original acts themselves are to be found. In addition to these manuscript sources there are also the contemporary printed session laws, or "Acts of Assembly of the Province of Maryland," and the proceedings of the Lower House, printed under the title "Votes and Proceedings of the Lower House of Assembly" for each session, both from the press of Jonas Green of Annapolis. The Upper House, less sensitive to public opinion and more directly under the sway of the Proprietary, did not feel the necessity of thus laying its actions and votes before the public in print. A full account of these printed "Session Laws" and "Votes and Proceedings" will be found in *A History of Printing in Colonial Maryland* by Lawrence C. Wroth. While the inscribed manuscript libers are to be considered as the official records, a number of errors which occur in them, especially as regards proper names, have been detected by a careful check-up of them with the printed versions and the rough notes of the clerks.

Dr. J. Hall Pleasants, who succeeded the late Dr. Bernard C. Steiner as a member of the Committee on Publications, has also become his successor in the editorship of the *Archives*. In preparing this volume for the press the editor is under great obligations to Mr. Charles Fickus of the Maryland Historical Society's staff and to Mrs. Fickus for their invaluable aid in correcting the proof and in making the index. That part of the copy which was not directly the work of the photostat was made from the original man-

uscripts by Miss Lucy Harwood Harrison to whom the Society is indebted not only for the accuracy and care with which she has copied much of the material that appears in this the forty-sixth volume of the series, but for the copies of the original manuscripts which have been printed in all of the other forty-five volumes which have preceded it.

Respectfully submitted,

Samuel K. Dennis,
J. Hall Pleasants,
John M. Vincent,
Committee on Publication.

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, May 10–June 11: 1748.
Being the Fourth Session of the Assembly Elected in 1745.

CHARLES CALVERT, LORD BALTIMORE,
Lord Proprietary.

SAMUEL OGLE,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the tenth Day of May in the thirty fourth Year of his Lordships Dominion Annoq Domini 1748 U. H. J. Liber No. 34 1748, May 10 p. 220

Present

His Excellency Samuel Ogle Esq[r] Governor

The Honourable { Benjamin Tasker Esq[r], Col[l] George Plater, Col[l] Charles Hammond, Philip Thomas Esq[r] } { Col[l] Benjamin Tasker, Richard Lee Esq[r], Benedict Calvert Esq[r] }

Mess[rs] King and Hall from the Lower House acquaint his Excellency they have a Sufficient Number of Members met to make a house and wait his Excellencys Commands.

Mess[rs] Lee and Calvert are sent to the Lower house to acquaint them that His Excellency requires the Speaker and the house to Attend him immediately in the Upper house

The Speaker and the Lower house Attended and his Excellency is pleased to make the following Speech

Gentlemen of the Upper and Lower houses of Assembly

After our last Parting I received a Letter from the President & Council of Pensilvania with some other Papers Relating to the Indians, which I thought of such Consequence, that I should have been Glad to have had an Opportunity of Laying them immediately before you for your Consideration, but the fatigue you had so lately undergone in Coming together at such an unseasonable Time of the Year, and the Great Expence that extraordinary Meetings of Assembly are to the Country, determined me to wait the Time of our Prorogation

You will see by the Papers themselves the Necessity we are under for our Own Safety, of Preserving the Friendship of the Six Nations and their Allies, which makes it needless for me to add any thing of my own upon a Subject, you have had so often under your Consideration, therefore shall only Recomend to you to give all the Dispatch you Conveniently Can to the Consideration of the Affair as p. 221
the Indians must not only be under a Good Deal of Impatience to receive the Presents they Expect but are in reality in Great want of them, and are at the same Time Strongly Sollicited, by the French

U. H. J. Liber No. 34 May 10

who put every Artifice they Can think of in Practice to bring them over to their Interest.

As to other Matters I have nothing in Particular to recommend to you but the Ordinary Allowances for the Support of Government and Defence of the Country, which I hope were so happily Settled last year as not to Admitt of any Room for Disputes between the several Branches of the Legislature for the future

Tho I should think, if Time Could be found for such an undertaking that a Proper Revisal of our Laws, might have the happiest Consequences, as the Effectual Security of Property in any Country must always be the Greatest Inducement to honesty and Industry, the true Sources of Wealth & happiness

And indeed our Natural Advantages, as to Soil & Climate are such, that I cannot help thinking it must be in some Measure our Own faults, if we do not Improve our Condition to a very Great Degree; and I flatter myself we have made a happy Begining, by our Inspection Law, which, I have the Satisfaction to find meets with a general Approbation at home, Thô I have not had as yet the Pleasure of hearing Our Lord Proprietarys Sentiments upon the Subject But there is no reason to Doubt of his Lordships Approving so Necessary a Law, which there Can be no Just Exception to in the Main, tho it may Possibly be mended in some Particulars.

Philadelphia 25 Jan^{ry} 1747

Sir

I have the Pleasure to Inform you that the Indians Seated on the Branches of Ohio & to the South & West of Lake Erie (Places within the bounds of Virginia, Maryland & Pensilvania) have this last Summer shewn great Zeal for his Majestys Interest in those Parts, and by their Seasonable Declarations of War, have Prevented some very bad Designs of the Governor of Canada which wou'd otherwise have taken Effect. This Came to be known first by a Letter Sent to this Government from some of the Six Nations & other Indians Seated at Canayahaga a Place on or near the River Conde which Runs into the Lake Erie, who sent down a French
p. 222 Scalp in token of their having begun Hostilities against the French and their Indians The trades afterwards Confirmed this, with this further Circumstance, that the French Governor had sent the hatchet to those Indians & that they had Rejected it at the same Time leting the French Governor know that they were heartily for the English & would fight for them & not against them; This Determined our Government to give them all the Encouragement Possible and while they were Deliberating in what manner to Convey to the Indians a Quantity of goods bought for their use, ten Warriors Living at Ohio came fortunately to Philadelphia, to Remonstrate against the backwardness of the English, and to tell them Plainly that unless they

altered their Conduct, the French would soon be uppermost in their Parts; As they Addressed themselves to the Governors of all the Provinces and were told that they should be made acquainted with their Complaints. The Council in Discharge of their Promise & Considering that your Province is, Equally with ours Exposed to Danger should these Indians for want of Proper Encouragement go over to the French, have thought it their Duty to send you a Copy of the Treaty held with those Ohio Warriors and of the Message of the Council & of the Answer of our Assembly wherein they Promise to Enable the Council to fulfill their Engagements of sending them a Present by M^r^ Weiser in the Spring tho they were then supplyed with a Considerable Quantity of Powder & Lead and Cloathing to help them through the winter, and most Earnestly requests that you would Lay these matters before your Assembly & recommend to them to Joyne with this Province & that of Virginia in making a Present to these Indians & if it shall be thought Proper, that there may be Appointed one or more Persons with full Power to Joyne with M^r^ Weiser in any Measure that may be there thought to be most Conducive to the Publick good. U. H. J. Liber No. 34 May 10

M^r^ Weiser was Ordered to Accompany & take Care of the Indians in their Return to Ohio as far as the Inhabited Part of the Country; and from what Passed between those Indians & Shick Calamy a Person of Character at Shamokin who happened to be at M^r^ Weisers, on their Coming there; and Likewise from what was said by the Principal Indian Schaiohady at Parting with M^r^ Weiser of all which He wrote on Account which is Copied & sent herewith I cannot think but the Person or Persons who go to Ohio may Do Extraordinary Service if they are well Supported by an Union of the Southern Provinces, since they will thereby be enabled to Give a Large Present & to Distribute it among the Indians according to their Numbers Dispositions and Influence as the same shall Appear to them upon the Spot. p. 223

It may be Expected that the French will use their utmost Endeavours this winter to Corrupt the Indians, there is therefore a necessity that this Present be made to them early in the Spring & as the Time cannot be fixt untill I shall Receive your Answer I beg the favour of you to give this Affair which is of so much Importance to the Peace and Safety of the Publick all the Dispatch Possible.

I am with perfect Esteem your Excellencys most Obed^t^ Humble Serv^t^

Anthony Palmer Presid^t^

His Excellency Samuel Ogle Esq^r^

[Conrad Weiser to Richard Peters, Esq.: Council of Pennsylvania]

Dear Sir

By this I let you know that I arrived at my house the 21^st^ of this Instant & found my family (thanks be to God) in a much better

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Condition than when I left them my youngest Child is yet very bad with the Cough, the rest is mending very much: the Day before yesterday Shickellamy Arrived who is in Good health with the Remaining Part of his Family, I Delivered the Presents to him. he is very thankful to the Government for the Charity bestowed on him he will set out the Morrow Morning for Shamokin he brought no Particular News from the Six Nations, this Evening John Goul with the Indians from Ohio arrived from Philadelphia, they made but very Short Marches in a day, They Reported everything this Evening to Shickellamy what had Past between them and the Government Shickellamy is mighty well Pleased with every thing the Ohio Indians Assured Shickellamy that the Ianontadyhagas, the Twich-twees, the Unick-calliakon the Ranatawadcany, the Zis-a-gechraonos have actually made use of their Hatchet against the French in favour of the English and expect the English will Assist them with Necessarys the af^{d} Indians have Seized all the French Goods they could meet with & knocked some of the Traders on the head, & some they Permitted to go to Canada Naked, and acquaint their Father Onotio that his Children the Indians are Angry with him, The Day after to morrow I intend to set out with the Ohio Indians for John Harris's I believe I must hire a Waggon to Dispatch them in their Journey they Travel slow and the Expences is Greater without than with a Waggon I have nothing to add at Present but remain S^{r} Your Most Dutifull

Conrad Weiser

Heidleberg November 14th 1747

In the Evening I Dispatch John Goul

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P. S. the Gech-da-gechronos & the Runatey-wech-suchraonos two strong Nations of the Indians had Received the French Hatchett and some time Last summer severall hundreds of them were coming this way to make an Invasion upon this or the Neighbouring Provinces but were Pursuaded to go back again by the Twich-twees who told them it would be so much as Declaring War against the Six Nations and their Allies that the six Nations became one body with the English, the Gechdagechraonos and the Runatey-weck-suchraonos Live to the West of the Lakes not very far from the Great River Mississippy. Shickeling Desires me to thank the President & Council in the best manner I cou'd for the Present

[Conrad Weiser to Richard Peters, Esq.: Council of Pennsylvania].

Paxton, at the house of John Harris
November the 28th 1747

Sir

Last Night I arrived here with the Indians all in good health but Canachguasy the Speaker was took sick by the way from Philadel-

phia to my house & one of the Women, but I hope not Dangerously, this Day I Delivered the Goods to them and they are well Pleased for my Adding two half Barrells of Powder to the four which they was to have, George Croghon was Present & he undertook to find men and Horses to carry the Powder and the Lead with two Casks of Liquor for them to Ohio I was Obliged to allow them the Liquor because they all followed my Advise & did not get Drunk neither in Town nor by the way Scaiohady after they had Received the Goods spoke to me in the following manner " Brother I am very Glad that our Bretheren in Philadelphia took into their serious Consideration what we have said to them, the French Party is very Strong among us, & if we had failed in our Journey to Philadelphia, or our Expectation would not have been Granted by our Bretheren in Philadelphia, the Indians would have gone over to the French to a man, & would have Received Presents or Supplies from the French, who have Offered it, but now I hope we have got the Better of them. Let me Desire you to set out early in the Spring with the supplies, our bretheren hath been pleased to Promise us, and send somebody before you, to give us timely Notice, that we may meet for we are scattered up & Down the Country, & we will send three or four men to meet you by the way & Convey you to the Place Appointed Pray Dont miss & let us that are for our brethren the English not be ashamed, the French Party who Speak now under the Ground will Speak Above the Ground if you should Miss, but if you Arrive early in the spring all the Indians will unite heartily & the French Party will be brought over to us They spoke to me and George Croghon who must be my Guide. I made answer that nothing should be wanting on my side, what I could do, And if I was Alive & well, I hope to see them in their Country next spring, before the Grass comes out, or at farthest when they begin to Plant their Corn, Saciody Pressed upon me to Put the Government in mind of what he had said against the Traders in Rum, that it might be suppressed, for the Indians (said he) will Drink away what they have, and be not able to do any thing against the Enemy for want of Ammunition, and if Rightly Considered, Death without Judge or Jury to any man that carries Rum to Sell to any Indian Town is the only remedy to Prevent that Trade, and a just Reward to the Traders for nothing else will do; it is Abomination before God & Man, to say nothing of the Particular Consequences, it is altogether hurtfull to the Publick for what Little Supplies we can give to carry on the war is not half Sufficient, they must buy the Greatest Part with their hunting, and if they meet with Rum, they will buy that before anything, and not only Drink away their Skins but their Cloathing & everything that they may get from Us, In short the Inconveniences occasioned by that Trade are Innumerable, at this very time the English & French Parties will fall out & Murder one another in

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U. H. J. Liber No. 34 May 10 their Drunkinness and the English will be Charged with the Mischief thereof, I must leave of[f] before I wear out your Patience I Remain S[r] your very Dutifull

Conrad Wieser

P. S. Scaiockady told Shickelamy at my house very Privately that Peter Chartier & his Company had Accepted of the French Hatchet but keep it in their bosom till they would see what Interest they could make in favour of the French

Adjourned till to morrow Morning ten of the Clock

May 11 Wednesday Morning 11 May 1748

This House met again according to Adjournment

Present as Yesterday with the addition of Col[o] Edward Lloyd

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to adjournment

Present as in the Morning with the Addition of Edmund Jennings Esq[r]

Benjamin Tasker Esq[r] Attended by the members of this house Presents to His Excellency their Adress in the following Words.

p. 226 To His Excellency Samuel Ogle Esq[r] Governor & Commander in Chief in and Over the Province of Maryland

The Humble Adress of the Upper House of Assembly

May it please your Excellency

We beg Leave to Return you our thanks for the Speech you was pleased to make to Both Houses of Assembly at the Opening of this Session & to acknowledge the Due sence We have of your kind Regard to us and the whole Province in not calling us together before the Time to which We were Prorogued

We are highly sensible how very necessary it is for our Own Safety, for us to endeavour to Preserve the Friendship of the Six Nations of Indians, and their Allies and that nothing can be more Effectual to that End, and Better Secure us against the Solicitations and Artifices Practized by the French to bring them over to their Interest than making them the Presents they Expect at a time when they must certainly be in want

It is with Pleasure Wee Consider that the Allowance for the Support of Government and Defence of the Country have been so happily settled that We may Reasonably hope the several Branches of the Legislature can have no Room for future Disputes thereon

We are convinced that a Proper Revisal of our Laws is highly necessary and if time can be found for it, shall willingly give our

assistance to carry on an Undertaking, which if well and carefully Performed, must be of the Happiest consequence to the Country U. H. J. Liber No. 34 May 11

It would have been a Satisfaction to us to have been informed of his Lordships Sentiments on the Inspection Law, but as you are Pleased to tell us there is no Reason to Doubt his Lordships Approbation of so necessary a Law We are in hopes we shall soon begin to experience the Benefit Intended by it; and if it shall be found to want Amendment in some Particulars, We shall be Ready to concur in making them, & to do every thing else in our Power, to contribute to the Improvement of our Condition, and the wealth & happiness of the Country

Benj[a] Tasker Presid[t]

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 12[th] May 1748 May 12

This House met again according to Adjournment

Present as yesterday accept Philip Thomas Esq[r] p. 227

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to adjournment

Present as in the Morning with the addition of Daniel Dulany Esq[r]

His Excellency is pleased to communicate his Answer to the Adress of this House which Answer is as follows

Gentlemen of the Upper House of Assembly

I am very much Obliged to you for your kind Adress, & cannot but flatter my self with the pleasing hopes of seeing the Province improve daily in every Respect, which nothing can Contribute more to than a proper Amendment of our Laws, your Attention upon this head must therefore be of great Service to the Country

Sam: Ogle

Adjourned till to Morrow Morning ten of the Clock

Friday Morning the 13[th] May 1748 May 13

This House met again according to Adjournment

Present as Yesterday

Read the Petition of the Justices, High Sheriff, Grand Jury, & others Inhabitants of Kent County Praying that the Laws of the Province may be revised and called into one or more Volumes Re-

U. H. J. Liber No. 34 May 13 ferred to the Consideration of the Lower House and sent by Benedict Calvert Esq[r]

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

May 14 Saturday Morning 14 May 1748

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by Mess[rs] Tilghman & Harrison Entituled an Act to exempt Persons Appearing at Musters from Arrests in Civil Cases thus Endorsed

By the Lower House of Assembly 12 May 1748

Read the first Time and Ordered to Lye on the Table

Signed p Order M. Macnemara Cl Lo. H.

p. 228 By the Lower House of Assembly 14 May 1748

Read the second Time and will Pass

Signed p Order M. Macnemara Cl Lo H.

Read the first Time in this House and Ordered to Lye on the Table

A Bill from the Lower House by Mess[rs] Hooper and Wilkinson Entituled an Act for issuing Writts of Replevin out of the County Courts of this Province Thus Endorsed

By the Lower House of Assembly 12 May 1748

Read the first Time and Ordered to Lye on the Table

Signed p Order M. Macnemara Cl Lo H.

By the Lower House of Assembly 14 May 1748

Read the Second Time and will Pass.

Signed p Order M Macnemara Cl Lo H.

Read the first Time in this House and Ordered to Lye on the Table.

A Message from the Lower House by Mess[rs] Henry and Stodart

By the Lower House of Assembly 14 May 1748.

May it please your Honours

This House hath Appointed Major Sheredine Col[l] John Henry Captain John Stodart M[r] Edward Tilghman and Major Abraham Barnes to Joyne any one or more that your house shall Appoint in a Committee to inspect the Office and Proceedings of the Commis-

sioners or Trustees for emitting Bills of Credit established by Act of Assembly U. H. J. Liber No. 34

Signed p Order M Macnemara Ct. Lo H. May 14

The following Message is sent by Richard Lee Esq^r^

By the Upper House of Assembly 14 May 1748

Gentlemen

This House hath Appointed Richard Lee Esq^r^ to joine the Members named by your House in a Committee to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office

Signed p Order John Ross Ct Up H.

A Message from the Lower House by Mess^rs^ Sheredine and Henry

By the Lower House of Assembly 14 May 1748

May it please Your Honours

It appearing to this House that frequent Disputes Arise Between the Inhabitants of Prince Georges and Baltimore Counties, as also Between these of Dorchester and Worcester Counties which Create p. 229 considerable Losses to the Publick by Concealment of Taxables and other Evils for want of the Divisions between the aforesaid Counties being ascertained; in order to Prevent which We Propose that Major Thomas Sheredine M^r^ Thomas Franklyne and M^r^ Daniel Rawlins M^r^ Nathaniel Wickham junior, M^r^ Thomas Beattys, Captain Joseph Ogle and Captain John Dorsey Be Commissioners for Baltimore and Prince Georges Counties; and Captain Bartholomew Ennals, M^r^ Daniel Sullyvan, M^r^ Isaac Nicholas Col^o^ John Henry Col^o^ John Scarburgh, M^r^ Benjamin Handy and Col^o^ George Dashiel Commissioners for Dorchester and Worcester Counties to Run certain Lines, or Ascertain such Metes and Bounds as to them or the Major Part of them shall seem most Convenient for Dividing the said Counties and to make Reporte thereof to the next General Assembly to be Confirmed by an Act to that Purpose if found Agreeable to the Several Branches of the Legislature to which we desire the Concurrence of your House

Signed p Order M Macnemara Ct Lo H.

Adjourned till Monday Morning ten of the Clock

Monday Morning 16 May 1748. May 16

This House met again according to Adjournment

Present

The Honourable { Benjamin Tasker Esq^r^, Col^o^ George Plater, Col^o^ Charles Hammond, Philip Thomas Esq^r^, Col^o^ Edward Lloyd } Daniel Dulany Esq^r^, Col^t^ Benjamin Tasker, Richard Lee Esq^r^, Benedict Calvert Esq^r^

Adjourned till 3 of the Clock in the afternoon

U. H. J.
Liber No. 34
May 16

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the morning

Adjourned till to Morrow Morning ten of the Clock

May 17

Tuesday Morning 17th May 1748

This House met again according to Adjournment

Present as yesterday

Read the Petition of the Inhabitants of Cedar Point Neck and Durham Parish in Charles County, the Petition of sundry the Freeholders in Charles County; of Sundry Freeholders of Prince
p. 230 Georges County; of Sundry the Freeholders of Queen Anns County and the Petition of Sundry the Freeholders of Baltimore County Praying an alteration may be made of the places where some of the Warehouses are Ordered to be built by the Inspection Law, Referred to the Consideration of the Lower House of Assembly and sent by Colonel Tasker

Read the Petition of sundry the Parishioners of All Saints Parish in Prince Georges County praying a Removal of the Church from Frederick Town, and the Petition of the Vestrymen Church Wardens and others Parishioners of Alhallows Parish in Worcester County praying a Sufficient Quantity of Tobacco may be Levied on them to erect and finish a Brick Church in the said Parish referred to the Consideration of the Lower house of Assembly & sent by Colo Hammond

Read the second time the Bill Entituled an Act to exempt Persons Appearing at Musters from Arrests in Civil Cases; passed and sent by Col Lloyd

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning with the Addition of Edmund Jenings Esqr

The following Message is sent by Philip Thomas Esqr

By the Upper house of Assembly 17 May 1748

Gentlemen

The Governor has been pleased to Lay the Papers herewith sent you before this House, some of which Papers have been some time in his hands and means used to Discover the Author, and the Matters contained in the Papers but to no Purpose

These Papers contain Matters of the Greatest Importance to the Country in General, and therefore We think that all means ought to be used to discover the Author or Authors as well as the matters contained in them, and to make such a Law as may deterr evil minded Persons from destroying or attempting to Destroy any Inspection house U. H. J. Liber No. 34 May 17

Signed ꝑ Order John Ross Cł Up H.

To His Excellency Samuel Ogle Esqr

May it Please your Excellency the Reason that those Criminal Letters were Inclosed and Directed to you was to keep them a secret, till Measures were taken for Apprehending the Conspirators

. Oh! Conscience Conscience at Length thou hast overcome me and forced me to throw down my Cursed Commission with these few Lines of my too late Repentance and Confession of My Crimes, and I beg that whoever takes them up may carry them immediately to his Excellency the Governor of Maryland that measures may be taken in time, to Counterplot or evade a Cursed Plot, almost Ripe for Execution which may Prove fatal to this Province in General, I would not have it thought that I absent myself to Conceal any Part of the Plott, for God knows I am in a Disposition to make a full discovery if I Dare to Appear, but I Apprehend my Life is in Danger both from the Court of Justice and from those who employed me in this hellish pact: if these obstacles can be removed and I can be assured of a free General Pardon for my Past Offences, and Protection against those that made me Committ them, by Advertisements set up at Marlborough and publick Places Adjacent there to, I will then Appear and make a full Discovery of the whole Plott: there is now two men in Goal in this Province that would have discovered this Plott Long ago but their unhappy Circumstances Confining them with those who are Zealous for the Catholick Cause, they are Obliged to keep it a Secret for the Preservation of their Lives; I can Add no more but must Absent myself till the Storm be over past that threatens the unfortunate Z. L:
December 11th 1747 p. 231

To + D: R: 8: + This

Sir

How Amiable is every Hour of your Conduct and how Great is your Zeal for the Catholick Cause which so mainifestly appears in the management of the Glorious Enterprize, now in hand; which you have Carried on with so much Prudence and Conduct, that you have almost brought it to Perfection, which could not have been done without Virtus hardly to be imagened but it is your Discretion Affability & Gentleness are the Attractive Loadstone that has drawn the hearts of such a Number of People to Espouse this Glorious Cause, and to Contribute so bountifully towards Compleating the

U. H. J. Liber No. 34 May 17 Magazine, Go on Noble Sir in this Great work that you as by your Zeal Direction and Constancy have hitherto Mastered all Difficultys & overcome Impossibilities that Presented themselves in the Enterprize so you may in the End Obtain a Glorious Triumph over the Enemies of our holy Religion, then will the Glory be Ascribed to none but you, to whom it will be most Justly Due. It now remains to Return you my humble thanks for the Great honour you do me in Believing me faithfull in the trust committed to my Charge, as also to let you know what Measures have been taken here and how far p. 232 we are advanced in Our common Cause that you may be the better able to form your Designs in Order to bring this work to a final Conclusion the Gentlemen Recomended to you have accepted their Commissions and as an acknowledgement of the Honour you Do them they have Entered into a Solemn Engagement either to Perish in the Enterprize or to Pursue every man to Distruction that opposes your Just Proceedings, and in that Resolution to Persevere untill the Roman Catholicks are Restablished in their former Tranquality; In raising men and Money I have used all necessary Precautions to Prevent Discoveries and to that Purpose have caused all the Priests, in the Respective Congregations over whom [they preside], to Exhort their People often to Confession and then to Examine them how they stood affected to the Plott, and after Examination to bind them to Secrecy according to the form in such cases Provided under Pain of an Anathema: and then to take a Memorandum of all those whose hearts the Lord Stirred up to Engage either in Person or in Purse in this Blessed Design which from time to time they have Delivered into me and which I have sent to you Inclosed in a List by the Bearer but what is Like to Augment our small forces as much as any thing is the Proceedings of the Last General Assembly at which Poore People are much Dissatisfied Particularly those who are much in Debt (which is the unhappy Circumstances of too many in this Province) for the Burgesses not Considering the Benefit of the People whom they Represent have made a Warehouse Law, and such a one in all its Circumstances, that it not only Deprives them of every future Advantage that may arise thereon but there is a Clause inserted under Pretence of Enabling People to support the Charges of the said Law by a Reduction of Twenty five ꝑ Cent from Tobacco Debts which seems to be Done on Purpose, and serves for no other End than to set Creditors on the Backs of Poor Debtors to Use them with more Rigour than ever, from which Proceedings many well foreseeing the Unhappy Circumstances they must inevitably fall under, there is no Doubt but they will Joyne us as some has already Done raither than fall a Sacrifice to such a Law: and Poor Prisoners finding no Door of Mercy can be Opened upon any Consideration offered by them either to their Creditors, or to the House of Assembly there is no Doubt but they will Extricate them-

selves by such means as we offer them, as some has already Promised to do as soon as we make way for them to joine us, The Rebells that arrived here Last Summer are Cheifly Purchased by Roman Catholicks These are fit men for our Purpose and such as seems to be sent by Providence on Purpose to assist, in this Great Work for thô they have once miscarried yet when they come to understand that this a Branch of the same Cause and that theres some here who has Courage enough to play the men, no Doubt but they will be the same men still, and more Desperate, now than ever, the late Proclamation having Deprived them of all hopes of Redemption otherwise; This as well as my Indisposition will permit me, I have given you an Account of the measures that has been taken here how far we are Advanced, and with every thing material that is most Likely to advance our Cause to the Day of Battle, and upon the whole I think we may Conclude our Plott is well Laid, and which we cannot fail with some Accident or unseasonable Divisions amongst ourselves which God of his Infinit Goodness and Mercy Prevent by Inspiring the hearts of all those Concerned with Unity and Concord my Indisposition will not Permit me to give this account under my own hand nor will a Violent fever that now begins to Rage Permit me to say more which makes me beg Leave to Referr you to the bearer for a more Particular Account. I can Add no more but as I began without the Title Due to your Worthy Deeds, so for the same Reason I must Conclude without Ceremony that am &c. R. T. M.

U. H. J. Liber No. 34 May 17

p. 233

December 11th 1747

To 8: R: G: & Y. Z. This

Gent

I Received yours and therein I behold the accomplishment of my Prophecies I have often forewarned you of the fatal Consequence that attends such heats & Divisions but all my Council were Rejected till now too late Experience Shews you my advise was Wholesom, and such as ought to have been followed: if you had unanimously gone on upon what I so often Recommended and so earnestly Pleaded for, things had not been brought to the Pass they now are, and those Gentlemen you now are Obliged to Keep under Strict Confinement would still have been Zealous Propogators of the Catholick Cause, but when they found that the Division so long Keept up amongst you was begining to form themselves into factions upon Different Measures and oposite Designs I suppose they thought it Time to Provide for their own Safety, which they could not have done any so Effectually as by Informing against others, and had they been at Large two days longer they would certainly have Involved the whole body of the Roman Catholicks in their Inevitable Ruin which God of his Infinit goodness and Mercy Grant may not be already Done, but however I hope this Experience will Learn you to be more unanimus for the future and teach you to Act, more

p. 234

U. H. J. Liber No. 34 May 17 Conformable to the Plan of Action Laid Down for you by our brave General. I Expect my Last Orders from him soon, and then you may Depend upon yours from me, untill which Time I Desire you would keep a Strict Eye over the Gentlemen you have in Custody & be very Cautious who you Admit to their Conversation I add no more but conclude with a hearty wish that you all were as Zealous for the Cause on which all our State Depends as is yours &c. R. T. M.

December 11th 1747

We do hereby give this Timely Notice to those Persons who shall hereafter be Chosen Inspectors of the Maryland Tobacco that they may not Accept of that Office as also to those on whose Plantations the Ware houses are Appointed to be that they may not build them on their own Charges unless there Pass an Act of Assembly to Save them harmeless from all future Damages that may happen to the Warehouses or Tobacco after Inspection, for Let those Juglers know who have Jumbled up an Inspection Law, at the Expence of Poor People that they shall never see it come to its Desired Perfection if fire and faggot will burn Down the Warehouses and Tobacco in them; Except they first Pass the following Acts of Assembly, that is to say an Act to Discountenance all secondhand Merchants as also an Act to Extricate all Poor Debtors within this Province as well those who now Languish under Strict Confinement as those who will most Certainly meet with the Like fate before the Drugery of the Inspection Law be over and an Act to Enable all Poor People within this Province to bear the Charges of the aforesaid Law. We Dont mean such an Act as was Past under Colour to Enable them by a Reduction of Twenty five p Cent from Tobacco Debts (which notwithstanding of its fare out side & fine Sugar'd Words can be called nothing but a Cheat) but such an Act as may Support & not Ruin them; If these things be Considered & done to the Satisfaction of us and the People aforesaid our Representatives may hope to see a happy Conclusion of their Laws for amendment of Tobacco; but if Rejected and we find no Door of Mercy can be opened but that
p. 235 we must be all Run Down without Choice We do now as we have already Done Declare in the Presence of God to one another and by these Presents to all Persons whatsoever that if all the secret artes of Projecting Brains Inspired with Revenge for the Loss of all that is Dear to them can frustrate the Ends of both Houses of Assembly and even over turn this whole Province, if we Live it shall be done, and whilest, it is Invaded with open Enemies abroad it shall be our whole Study to fill its Bowels with secret ones; The reader Perhaps may Just read this over for Curiosity sake and Let it Pass away HTanquam Fabuld (as the Prophets speek of a mans Life) as a Tale Chat is told, but however time will shew the Event, and the Event, Hf we mistake not will shew that these things was worth Due Notice

or Perhaps it may be said this is only the Handy work of some over bussie bodies as it was said of Papers that was found in Pickawaxon wherein was Discovered a Popish Plott which in Reality was nothing Else but our forgery as this hand Writing will shew, yet have had its Desired Effect; This to some may seem a strange way of Proceeding, but they would Cease to Wonder and Excuse us if they were once to see the proceedings of the late General Assemblys without their Disguises as we have done; who have Stript of[f] the Vail ript up the Bowels & strictly Examined them where we find every thing that Interferes with the Private Interest of Court favourites, and other Great ones of this Province, is laid Aside, be it never so much for the Publick Good, and everything that answers their own by ends carried on at all Events and in Fine there is such Laws preparing, as none but the School Master of Hell could Invent or Impose upon poor People Oh! Poor Planters did ye but feel the Burthens that is Preparing by the Egyptian Task Masters to be laid on your shoulders I am Persuaded that ye would not only Excuse us but also Aid and Assist to put what is aforesaid in Execution We cannot Dismiss this Paper without forewarning all Persons from Carrying their Tobacco to the Warehouses (if any be after this Notice given) Except they first be secured against all future Damages that may happen to their Tobacco. We Add no more but Conclude with a hearty wish that this Timely Notice may be a means to prevent future Damages. March 12th 1747 U. H. J. Liber No. 34 May 17

P. S. the whole Proceedings of the last Assembly will soon be Published by the same Method that this is

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 18 May 1748 May 18 p. 236

This House met again according to adjournment

Present as yesterday

Read the Petition of Several the Freeholders of Prince Georges County Praying that a Bill may be brought in to Enable the Commissioners of the said County to Levy on the Taxable Inhabitants thereof at three Equal Assessments a Sum not, exceeding One hundred & fifty Thousand Pounds of Tobacco to Build a new Court house, and to Appoint a Place where it shall be built, or Leave the same to the Votes of the Freeholders Referred to the Consideration of the Lower house of Assembly and sent by Coł Hammond

Read the Petition of the Subscribers Inhabitants Queen Caroline Parish and Places adjacent, thereto in Ann Arundel County Praying the Inspection House may be fixed at the Midle Elk Ridge Landing Referred to the Consideration of the Lower house of Assembly and sent by Coł Hammond

U. H. J. Liber No. 34 May 18

A Bill from the Lower house by M^rs^ Dashiel & Harris Entituled an Act to Restrain the ill behaviour of Clergymen thus Endorsed

By the Lower house of Assembly 13 May 1748

Read the first Time and ordred to Lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 17 May 1748

Read the second time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and ordered to Lye on the Table

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

May 19

Thursday Morning 19 May 1748

This House met again according to Adjournment

Present as yesterday

Read Several Petitions of sundry the Inhabitants of Kent County Ann Arundel County, Dorchester County and S^t^ Marys County praying an Alteration may be made in Several places in their said Counties, of the Inspection houses as already fixed by the Ware house Law, Referred to the Consideration of the Lower house of Assembly & sent by Daniel Dulany Esq^r^

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

p. 237 This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

May 20

Friday Morning 20 May 1748

This house met again according to Adjournment

Present as yesterday

Read the Petition of Several the Inhabitants of Calvert County Praying an Inspection house may be built at M^r^ James Heighes Plantation in the said County; Read the Petition of the Rector Vestrymen and Church wardens of the Upper hundred of Shrewsbury Parish in Kent County Praying that Eight Thousand Pounds of Tobacco may be Leved on the Taxable Inhabitants of the said Parish towards

Compleating a Chappel therein Referred to the Consideration of the Lower house and sent by Benedict Calvert Esq[r] U. H. J. Liber No. 34 May 20

Read the Petition of Sundry Inhabitants of Ann Arundel County Praying the Continuance of the Inspection house at Mackelfishes Point, and also the Petition of several Inhabitants of the said County Praying a Removal of the said Inspection house and Placing it at a Tract of Land called the Land of Ease Referred to the Consideration of the Lower house and sent by Richard Lee Esq[r]

The following message is sent by Col[l] Tasker

By the Upper house of Assembly 20 May 1748

Gentlemen

In Answer to your Message of the 14 Instant by Mess[rs] Sheredine & Henry this House agrees that the Gentlemen Proposed in the said Message be Appointed Commissioners to Run the Lines and Assertain the bounds Between Prince Georges, and Baltimore Counties and also Between Dorchester & Worcester Counties, and that they make a Report of such their Proceedings to the next General Assembly to be Confirmed by an Act of the Legislature if found agreeable thereto.

Signed p Order John Ross C[l] Up H.

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by M[rs] Dashiel and Wilkinson Entituled an Act to empower & Direct the Clerk of Ann Arundel County to enter & Record among the said County Records a Deed of Bargain and Sale from William Mitchel, Edward Mitchel and Grace his Wife to Mordicai Moore Deceased. Thus Endorsed

By the Lower house of Assembly 16 May 1748

Read the first time and ordered to Lye on the Table p. 238

Signed p Order M Macnemara C[l] Lo H.

By the Lower house of Assembly 20 May 1748

Read the Second Time & Will Pass

Signed p Order M Macnemara C[l] Lo. H.

Read the first time in this house and Ordered to Lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 21 May 1748 May 21

This House met again according to Adjournment

Present as yesterday

Adjourned till Monday Morning ten of the Clock

U. H. J. Liber No. 34 May 23

Monday Morning 23d May 1748

This House met again according to adjournment

Present

The Honourable { Benjamin Tasker Esqr, Col George Plater, Col Charles Hammond, Philip Thomas Esqr } { Daniel Dulany Esqr, Col Benjamin Tasker, Richard Lee Esqr, Benedict Calvert Esqr }

Read the Petition of the Commissioners for Charles Town in Cecil County Praying the Inspection house may be built on the Publick Lotts in the said Town and the Petition of sundry the Inhabitants of St. Mary Anns Parish & others Inhabitants in Cecil County praying that the Court house and Prison for the said County may be fixed at Charles Town, and also the Petition of Sundry the Inhabitants of Chester & Lancaster Counties in the Province of Pensilvania Praying that the Court house for Cecil County may be built at Charles Town, Referred to the Consideration of the Lower house of Assembly and sent by Col Hammond

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the morning

Read the Petition of Several the Parishioners of that Part of Coventry in Worcester County that is Contiguous to Snow hill Town Praying that such Part of the said Parish that Lys between Nassaongo Creek and Acquonga Branch may be Added to the Parish of Alhallows; Read the Petition of the Vestrymen Churchwardens and other Inhabitants of King & Queen Parish in St. Mary's County Praying that there may be an Alteration in the bounds of the several Parishes in the said County Referred to the Consideration of the Lower house of Assembly and sent by Col Tasker.

p. 239 Adjourned till to Morrow Morning ten of the Clock

May 24

Tuesday Morning 24 May 1748

This house met again According to Adjournment

Present as yesterday with the Addition of Edmund Jenings & Samuel Chamberlaine Esqrs

Read the Petition of Sundry the Freeholders of Charles County Praying a Continuance of the Inspection houses in the said County at the Places Appointed by Law; Read the Petition of Sundry the Inhabitants on the North side of Bohemia River and the West side of Elk River in Cecil County Praying an Inspection house may be

fixed on the Court house Point in stead of that Bohemia ferry; Read the Petition of Sundry the County Clerks of this Province praying to be Relieved from some Hardships they Ly under by a Law Passed Last Session of Assembly Relating to their Records, Referred to the Consideration of the Lower house of Assembly and sent by Samuel Chamberlaine Esq[r] U. H. J. Liber No. 34 May 24

Read the Petition of Several the Inhabitants of Prince Georges County praying a Division of the said County referred to the Consideration of the Lower house of Assembly & sent by Richard Lee Esq[r]

A Bill from the Lower house by Mess[rs] Harris & Mills Entituled an Act impowering the Justices of Kent County to Assess and Levy on the Taxable Inhabitants of Shrewsbury Parish in the said County a Sum not Exceeding Eight Thousand Pounds of Tobacco for the uses therein mentioned thus Endorsed.

By the Lower house of Assembly 23 May 1748

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 24 May 1748

Read the second Time and will Pass

Signed p Order M Macnemara Cl Lo H.

Read the first Time in this House and Ordered to Lye on the Table.

Read the Petition of Daniel Cheston of Kent County Referred to the Consideration of the Lower House and sent by Richard Lee Esq[r]

An Engrossed Bill from the Lower House by Mess[rs] Gresham & Broome Entituled an Act to exempt Persons Appearing at Musters from Arrests in Civil Cases thus Subscribed: 24 May 1748.

Read and Assented to by the Lower House of Assembly

Signed p Order M. Macnemara Cl Lo H.

Read and Assented to by this House and Ordered to be so Subscribed p. 240

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the Petition of Several the Inhabitants of St. Paul's Parish in Queen Anns County, Praying a Division of the said Parish after the Death of the Present Incumbent; Read the Petition of the Rector Vestrymen Churchwardens and others the Parishioners of Christ Church Parish on Kent Island in Queen Anns County Praying that a Part of S[t] Pauls Parish when Divided may be added to

U. H. J. Liber No. 34 May 24

Christ Church Parish; Read the Petition of the Rector Vestrymen & Church wardens of Christ Church Parish in Queen Anns County Praying that the Quantity of thirty seven thousand One hundred Pounds of Tobacco be Levyed on the Taxable Inhabitants of the said Parish towards Enlarging their Church Referred to the Consideration of the Lower house of Assembly and sent by Daniel Dulany Esq[r]

Read the Petition of Jacob Stoner of Prince Georges County Praying that an Allowance of one hundred Pounds Currency may be made him out of the Loan office, he having lost that sum in the fire which Consumed his Dwelling house, Rejected

Adjourned till to Morrow Morning ten of the Clock

May 25

Wednesday Morning 25 May 1748

This House met again according to Adjournment

Present as yesterday

Read the Petition of Stephen Lewis of the Colony of Virginia praying Leave to bring in a Bill to Remedy some Defects in a Deed made by Charles Carroll and John Bradford to Daniel Carroll of Prince Georges County for a Tract of Land called Strife; Referred to the Consideration of the Lower house of Assembly, & sent by Col Plater

Read the Petition of William Cumming of the City of Annapolis on behalf of himself and James Edmondson of Prince Georges County Praying that the Petition of Stephen Lewis for Relief may not be Granted, he the said Lewis not having Complyed with the Resolve of this house, by seting up Notes and Giving Notice to the Parties Interested, Rejected By the Upper house of Assembly

M[r] Cumming having Petitioned this house in behalf of himself and James Edmondston against Granting the Relief which Stephen Lewis has Prayed for, and having been heard, and neither by his Petition nor by any thing he said shewen that either he or the said Edmondston hath any Interest in the Tract of Land but, as it is Concluded (as he alledged) in a Tract of Land called Preston March, to which the said Cumming & Edmonston have a Right which Right (if they have one) cannot be affected by Releasing Stephen Lewis according to his Prayer And that it seems to this house that the Petition of the said William Cumming on behalf of himself and the said James Edmonston is to Gain time to Obtain a Deed from the said John Bradford who is known to be a Person of such Principles that he would for a smale trifle convey his Right in form to any one who would Give it to him with[out] any Regard to Equity or Justice, which would Contribute to Deprive the said

p. 241

Stephen Lewis of any future Relief; These Circumstances Differing the Case of Lewis from any other that has been or Probably may come before this house it is thought Proper to Dispence with the Resolve of this house on this Particular Occasion U. H. J. Liber No. 34 May 25

Signed p Order John Ross Cl Up H.

Read the Petition of Major Hudson of Worcester County Praying leave to bring in a Bill to Record a Deed for Part of a Tract of Land called S[t] Lawrance Neck Containing four hundred and fifty acres made to him by a Certain Dennis Hudson of the said County Deceased; Rejected

Read the Petition of John Hussey of Prince Georges County Praying Leave to bring in a Bill to Record a Deed made to him by a Certain John Aubery of the Colony of Virginia for a Tract of Land Lying in Ann Arundell County containing 150 Acres called Yates's Addition; Rejected the Petitioner not having Complyed with the Resolve of this house

Read the Petition of William Worthington Praying Leave to bring in a Bill to Record a Deed made to him by Benjamin Davis of Baltimore County for a Tract of Land Lying in the said County Containing fifty Acres called Benj[as] Prospect; Rejected, the Petitioner not having Complyed with the Resolve of this house

Read the Petition of Henry Chew of Calvert County Praying Leave to Bring in a Bill to Invest a Title in Job Hunt of the said County in two hundred Acres of Land part of a Tract of Land Lying in the said County called Upper Bennett, Rejected

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the Petition of several the Freeholders of Prince Georges County Praying a Division may be made of the said County at Seneca, Referred to the Consideration of the Lower house of Assembly & sent by Richard Lee Esq[r] p. 242

The following Message is sent with Col Cresaps Account for necessarys Supplied by him to the Indians by Colonel Tasker

By the Upper house of Assembly 25 May 1748

Gentlemen

His Excellency the Governor having Laid the Account herewith sent you before this house, We doubt not but that you will consider and allow it if it shall Appear to you to be Just and Reasonable and we are of Opinion it will Contribute very much to the Safety of the Lives and Fortunes of his Majestys Subjects within this Province

U. H. J. Liber No. 34 May 25

to be upon Good Terms with the Indians at all Times and much more so in the Present, Dangerous Situation of affairs as We have no Room to Doubt, but that the French will use all the artifices in their Power to withdraw the Indians from their Attachments to his Majestys Subjects and to Engage them on their side, which were they to succeed in, would be of fatal Consequence to the Inhabitants of this Province and the rest of our fellow Subjects on this Continent

Their Warriors cannot Possibly carry any Provision with them nor Subsist without it and if they cannot get the Necessarys of Life without Violence, will take it, which of Course will create such Difference between them, and those from whom they forceably take what they want, as may very Probably end in Blood Shed and Slaughter; The Indians March in Parties and have Armes in their hands, which make them a Great Over Match for our Back Inhabitants who Live remote from one another and are in a Defenceless Condition, which must Expose them to the Rage & fury of the former, and were Our People ever so inclinable for their own Safety to supply the Indians, they are not able to do it to their Satisfaction and doing it Partially would not Secure them, and the Dissatisfaction of the Indians may Probably involve this Province in an Indian War; as this is our Case it Certainly Deserves the attention of the Legislature, and it is Good Policy to avert the Danger as it may be done at a trifling Expence by furnishing Provision and some other Necessaries at the Publick Charge for the Indians in going to and Returning from the southward; Besides as our Neighbours have thought it Proper to give the Indians some Presents to keep them steady in their friendship to his Majestys Subjects, If we do nothing
p. 243 of the same kind It is very probable the Indians will conclude that we not only have no regard for them but also that we are really their Enemies and how far upon such a Conclusion they may Carry their Presentment cannot be foreseen

Signed p Order John Ross Cl Up H.

Read the Petition of Thomas Jones of Dorchester County Praying Leave to bring in a Bill to Record a Deed for Part of a Tract of Land called Adventure containing 200 acres made to him by a Certain Thomas Polke of the said County Rejected the Petitioner not having complyed with the Resolve of this house

Adjourned till to Morrow Morning ten of the Clock.

May 26

Thursday Morning 26 May 1748

This House met again according to Adjournment

Present as yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

U. H. J. Liber No. 34 May 26

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 27 May 1748 May 27

This House met again According to Adjournment

Present as yesterday

A Bill from the Lower house by Mess[rs] Mills & Byard Entituled an Act for assertaining the bounds of King & Queens Parish in St. Marys County and for making the same & All faiths Compleat Parishes on the Death of the Reverend M[r] John Urquhart Present Incumbent of All faiths Parish, Lying in Saint Marys and Charles Counties thus Indorsed

By the Lower house of Assembly 25 May 1748

Read the first Time and Ordered to Lye on the Table

Signed p Order M Macnemara C[t] Lo H.

By the Lower House of Assembly 27 May 1748

Read the second time and will Pass.

Signed p Order Macnemara C[t] Lo H.

Read the first Time in this house and Ordered to Lye on the Table

Read the Petition of Several the Inhabitants of S[t] Margarets West Minister Parish and of the Lower Part of S[t] Anns Parish in Ann Arundel County Praying that there may be an Inspection house fixed at Annapolis referred to the Consideration of the Lower house of Assembly and sent by Co[l] Tasker

Adjourned till 3 of the Clock in the afternoon p. 244

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time Bill Entituled an Act for issuing Writts of Replevin out of the County Courts of this Province, and will not Pass, sent by Col. Hammond

Read the second time the Bill Entituled an Act empowering the Justices of Kent County to assess and Levy on the Taxable Inhabitants of Shrewesbury Parish in said County a sum not Exceeding Eight Thousand Pounds of Tobacco for the Usses therein mentioned; Passed & sent by Samuel Chamberlain Esq[re]

Read the second time the Bill Entituled an Act to empower and Direct the Clerk of Ann Arundel County, to enter and Record

U. H. J. Liber No. 34 May 27 among the said County Records a Deed of Bargain and Sale from William Mitchell Edward Mitchell and Grace his Wife to Mordicai Moore Passed and sent by Col Plater

Adjourned till to Morrow Morning ten of the Clock

May 28 Saturday Morning 28 May 1748

This House met again According to Adjournment

Present as yesterday except Col Hammond and Philip Thomas Esq[r]

A Bill from the Lower house by Mess[rs] Henry & Robins Entituled an Act empowering the Justices of Worcester County to Levy on the Taxable Inhabitants of Alhallows Parish in the said County a Sum not Exceeding Eighty Thousand Pounds of Tobacco for the Uses therein mentioned Thus Endorsed

By the Lower House of Assembly 27 May 1748

Read the first Time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower House of Assembly 28 May 1748

Read the second time and Will Pass

Signed p Order M Macnemara Cl Lo. Ho.

Read the first time in this house and Ordered to Lye on the Table

An Ingrossed Bill from the Lower house by Mess[rs] Harris & Harrison Entituled an Act empowering the Justices of Kent County to Assess & levy on the taxable Inhabitants of Shrewsbury Parish in the said County a sum not Exceeding Eight Thousand Pounds of Tobacco for the Uses therein mentioned thus subscribed 28 May 1748

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo. Ho.

p. 245 Read and Assented to by this House and ordered to be so Subscribed

A Bill from the Lower house by Mess[rs] Tilghman and Bond Entituled an Act empowering the Justices of Queen Anns County to Levy on the taxable Inhabitants of Christ Church Parish in the said County the sum of thirty Seven Thousand one hundred Pounds of Tobacco for Repairing and Enlarging their Parish Church, thus Endorsed

By the Lower House of Assembly 28 May 1748

Read the first time by an Especial Order and will Pass.

Signed p Order M Macnemara Cl Lo Ho.

Read the first time in this House and Ordered to Lye on the Table

Adjourned till Monday Morning ten of the Clock

Monday Morning 30 May 1748 U. H. J. Liber No. 34 May 30

This House met again According to Adjournment

Present

The Honourable { Benjamin Tasker Esq[r] / Col. George Plater / Col Charles Hammond / Samuel Chamberlain Esq[r] } { Daniel Dulany Esq[r] / Col Benj. Tasker / Richard Lee Esquire / Benedict Calvert Esq[re] }

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the morning with the Addition of Col Loyd.

Mess[rs] Smalwood & Wilkinson from the Lower House attend with M[r] William Middleton a Member Elected for Charles County in the Room of M[r] John Courts deceased, who takes the several Oaths to the Government required by Law, repeats and subscribes the Abjuration and Test & then withdraw

A Bill from the Lower House by M[rs] Henry & Middleton Entituled an Act, to Remedy some Defects in an Indenture of Bargain and Sale made and Executed by Charles Carroll of Annapolis Surgeon & John Bradford of the one Part and Daniel Carrol of Marlborough in Prince Georges County of the other Part thus Endorsed.

By the Lower House of Assembly 30 May 1748

Read the first and second time by Especial Order and will Pass

Signed p Order M Macnemara Cl Lo H°

Read the first time in this House and Ordered to Lye on the Table.

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 31 May 1748 May 31

This House met again according to Adjournment

Present as yesterday with the Addition of Edmund Jenings Esq[r] p. 246

Read the Petition of Sundry the Inhabitants of Calvert County Praying their new Court house may be built at Hunting Town in the said County also the Petition of Ditto Praying that an Inspection may be Erected at Hunting Town Referred to the Consideration of the Lower house of Assembly and sent by Benedict Calvert Esq[r]

Read the Petition of Sundry Insolvent Debtors in the Several County Goals of this Province Praying Releif Rejected

U. H. J. Liber No. 34 May 31

A Bill from the Lower House by Mess[rs] Stoddart & Hall Entituled an Act to Divide Prince Georges County and erect a new one by the Name of Frederick County thus Endorsed

By the Lower House of Assembly 27 May 1748

Read the first time and Ordered to Lye on the Table

Signed p Order M. Macnemara Cl Lo Ho.

By the Lower House of Assembly 31 May 1748

Read the second Time and will Pass

Signed p Order M. Macnemara Cl Lo Ho.

Read the first Time in this House and Ordered to Lye on the Table.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the morning

A Bill from the Lower House by M[rs] Dashiel & Dulany Entituled an Act for Processioning Lands in order to Perpetuate the Bounds thereof and for other Purposes therein mentioned; Thus Endorsed

By the Lower house of Assembly 20 May 1748

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo Ho.

By the Lower House of Assembly 31 May 1748

Read the second Time and Will Pass

Signed p Order M Macnemara Cl Lo Ho.

Read the first time in this House and Ordered to Lye on the Table

Adjourned till to Morrow Morning ten of the Clock

June 1

Wednesday Morning 1[st] June 1748

This House met again according to Adjournment

Present as yesterday with the Addition of Philip Thomas Esq[r]

Adjourned till 3 of the Clock in the Afternoon

p. 247

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning with the Addition of Benjamin Young Esq[r]

Read the Petition of Sundry the Inhabitants of Prince Georges County praying that an Inspection house may be erected at Piscataway in the said County; referred to the Consideration of the Lower house of Assembly & sent by Richard Lee Esq[r]

The following Bills from the Lower house by Messrs Key & Tilghman one Entituled an Act Relating to That Part of King & Queens Parish which Lyes in Charles County and was lately severed by the Death of the Reverend Mr John Donaldson; One Entituled an Act Granting a further time for Surveying and Laying out a new a Town in Worcester County called Newport Town & confirming the Privileges Granted by the former Act, to the said Town; and One Entituled an Act to Prohibit the raising of Swine in Leonards Town in Saint Marys County Severally thus Endorsed U. H. J. Liber No. 34 June 1

By the Lower house of Assembly 1 June 1748

Read the first and second Times by Especial Order and will Pass

Signed p Order M Macnemara Ct Lo Ho.

and the other Entituled an Act to Enable the Several & Respective County Clerks within this Province to Remove some of the County Records and Papers from the Publick Offices, Thus Endorsed

By the Lower house of Assembly 30 May 1748

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Ct Lo. Ho.

By the Lower house of Assembly 31 May 1748

Read the second time and will Pass

Signed p Order M Macnemara Ct Lo Ho.

Read the first time in this house and Ordered to Lye on the Table.

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 2d June 1748 June 2

This House met again according to Adjournment

Present as yesterday

Read the second time the Bill Entituled an Act to Restrain the ill Behaviour of Clergymen, and Will not Pass; sent by Col Loyd

Read the second time the Bill Entituled an Act empowering the Justices of Worcester County to Levy on the Taxable Inhabitants of Alhallows Parish in the said County a Sum not Exceeding Eighty Thousand Pounds of Tobacco for the Uses therein mentioned; p. 248 The Bill Entituled an Act empowering the Justices of Queen Anns County to Levy on the taxable Persons of Christ Church Parish in the said County the sum of thirty Seven thousand one hundred Pounds of Tobacco for repairing and Enlarging their Parish Church, The Bill Entituled an Act relating to that Part of King & Queens Parish which lyes in Charles County and was lately severed by the Death of the Reverend Mr John Donaldson. The Bill Entituled an Act for ascertaining the Bounds of King & Queens Parish in St Marys County and for making the same, and All Faiths Compleat Parishes on the Death of the Reverend Mr John Urquhart

U. H. J. Liber No. 34 June 2 Present Incumbent of All Faiths Parish Lying in St Marys and Charles Counties; Passed and sent by Richard Lee Esq[r]

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

June 3 Friday Morning 3 June 1748

This House met again according to Adjournment

Present as yesterday

Read the second time the Bill Entituled an Act to Prohibit the raising of Swine in Leonard Town in S[t] Marys County; the Bill Entituled an Act to enable the several and Respective County Clerks within this Province to remove some of the County Records and Papers from the Publick Offices; The Bill Entituled an Act to Remedy some Defects in an Indenture of Bargain & Sale made and Executed by Charles Carrol of Annapolis Surgeon and John Bradford of Prince Georges County Gentleman of the one Part and Daniel Carroll of Marlborough in Prince Georges County of the other Part Passed and sent by Sam[l] Chamberlaine Esq[r]

A Bill from the Lower house by Mess[rs] Stoddert and Addison Entituled an Act for taking off Part of Prince Georges County and Adding it to Charles County thus Endorsed

By the Lower house of Assembly 28 May 1748

Read the first Time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo Ho.

By the Lower house of Assembly 3d June, 1748.

Read the second Time and will Pass

Signed p. Order M Macnemara Cl Lo Ho.

Read the first time in this house and Ordered to Lye on the Table

Adjourned till 3 of the Clock in the afternoon

p. 249 Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entituled an Act for Processioning of Lands in order to Perpetuate the Bounds thereof and for other Purposes there in mentioned and will not Pass sent with the following Message by Col Hammond

By the Upper house of Assembly 3d June 1748 U. H. J. Liber No. 34 June 3

Gentlemen

We have the same sense with you of the Expediency and Usefullness of an Act for Processioning Lands in Order to Perpetuate the bounds thereof, But we think the Bill which we now return with a Negative would, if Passed into a Law, be very far from Answering the Purposes intended, since very few would in all Probability desire their Bounds to be Processioned, and by that means the Use Designed in General for the whole Province would be frustrated, there are some other Particulars which may be Proper to be altered when the Subject of this Bill comes to be reconsidered

Signed p Order John Ross Ct Up Ho.

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 4 June 1748 June 4

This House met again according to Adjournment

Present as yesterday

Read the second time the Bill Entituled an Act Granting a further time for Surveying & Laying out a new Town in Worcester County called Newport Town and Confirming the Privileges Granted by the former Act to the said Town passed and sent by Richard Lee Esqr

A Bill from the Lower house by Messrs Harris & Handy Entituled an Additional and Explanatory Act to the Act Entituled an Act empowering the Commrs of the County Courts to Levy and raise Tobacco to defray the Necessary Charges of their Counties and Parishes; thus Endorsed

By the Lower house of Assembly 2d June 1748

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Ct Lo. Ho.

By the Lower house of Assembly 3d June 1748

Read the second time and will Pass.

Signed p Order M Macnemara Ct Lo. Ho

Read the first time in this house and Ordered to Lye on the Table

A Bill from the Lower house by Messrs Harrison & Hopper Entituled an Act directing the former Sheriffs of the several Counties within this Province to Account with the Justices of the several County Courts for the Tobacco therein mentioned; thus Endorsed.

By the Lower house of Assembly 2d June 1748 p. 250

Read the first Time and Ordered to Lye on the Table.

Signed p Order M Macnemara Ct Lo Ho.

U. H. J. Liber No. 34 June 4

By the Lower house of Assembly 4 June 1748
Read the second time and will Pass.
Signed p Order M Macnemara Cl Lo. Ho.

Read the first time in this house and Ordered to Lye on the Table

Seven Engrossed Bills by Messrs Dulany & Mills viz. An Act to empower and Direct the Clerk of Ann Arundel County Court to enter and Record among the said County Records a Deed of Bargain and Sale from William Mitchell Edward Mitchell and Grace his Wife to Mordicai Moore Deceased; An Act to Prohibit the Raising of Swine in Leonard Town in St Marys County; An Act for ascertaining the Bounds of King and Queens Parish in St Marys County and for making the same and All faith compleat Parishes on the Death of the Reverend Mr John Urquhart, Present Incumbent of All faiths Parish Lying in St. Marys and Charles Counties; An Act empowering the Justices of Worcester County to Levy on the taxable Inhabitants of Allhallows Parish in the said County a sum not exceeding Eighty Thousand Pounds of Tobacco for the uses therein mentioned; An Act to enable the several and Respective County Clerks within this Province to Remove some of the County Records and Papers from the Publick Offices; an Act empowering the Justices of Queen Anns County to levy on the taxable Persons of Christ Church Parish in the said County the sum of thirty seven Thousand One hundred Pounds of Tobacco for repairing an Enlarging their Parish Church; An Act relating to that part of King and Queens Parish which Lyes in Charles County and was lately severed by the Death of the Reverend Mr John Donaldson, Severally thus Subscribed 4 June 1748

Read and Assented to by the Lower house of Assembly
Signed p Order M Macnemara Cl Lo Ho.

Read and Assented to by this House and Ordered to be so Subscribed

A Bill from the Lower house by Messrs Sheredine and Thomas Entituled an Act Continuing an Act Entituled an Act for raising three Pence Sterling p hogshead on all Tobacco to be Exported for Purchasing Arms and Ammunition and for an immediate Supply of Arms for the Defence of this Province thus Endorsed

By the Lower house of Assembly 3d June 1748
Read the first time and Ordered to Lye on the Table
Signed p Order M Macnemara Cl Lo Ho.

By the Lower house of Assembly 4 June 1748

p. 251 Read the second time and will Pass
Signed p Order M Macnemara Cl Lo Ho.

Read the first time in this house and Ordered to Lye on the Table

Adjourned till Monday Morning ten of the Clock

Monday Morning the 6 June 1748 U. H. J. Liber No. 34 June 6

This House met again according to Adjournment

Present

The Honourable	Benjamin Tasker Esq^{r}	Col Edward Loyd
	Col George Plater	Benjamin Young Esq^{r}
	Edmund Jenings Esq^{r}	Col Benjamin Tasker
	Samuel Chamberlain Esq^{r}	Richard Lee Esq^{r}
	Daniel Dulany Esq^{r}	Benedict Calvert Esq^{r}

A Bill from the Lower house by Mess^{rs} Stoddart and Addison Entituled an Act to Enable the Justices of Prince Georges County to secure three Acres of Land Lying in King George Parish in the said County whereon a Brick Chapell of Ease is already Built for the Use of the Parishioners; thus Endorsed

By the Lower house of Assembly 2^{d} June 1748

Read the first time and Ordered to Lye on the Table

Signed p Order M. Macnemara Cl Lo. H.

By the Lower house of Assembly 6 June 1748

Read the second time and will Pass

Signed p Order M Macnemara Cl. Lo. Ho.

Read the first time in this house and Ordered to Lye on the Table

A Bill from the Lower house by M^{rs} Smith and five others Entituled an Act for Relief of Thomas Brooke junior a Languishing Prisoner in Prince Georges County Goal; Thus Endorsed

By the Lower house of Assembly 2^{d} June 1748

Read the first time and Ordered to Lye on the Table.

Signed p Order M Macnemara Cl Lo. Ho.

By the Lower house of Assembly 6 June 1748

An Engrossed Bill from the Lower house by Mess^{rs} Highland & Mackall Entituled an Act to Remedy some Defects in an Indenture of Bargain and Sale made & executed by Charles Carroll of Annapolis surgeon and John Bradford of the one Part & Daniel Carroll of Marlborough in Prince Georges County of the Other Part thus subscribed 6 June 1748

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo. Ho.

Read and assented to by this house and Ordered to be so subscribed p. 252

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess^{rs} Hyland and [Bayard] Entituled an Act enabling the Commissioners of Charles Town in

U. H. J. Liber No. 34 June 6 Cecil County to build an Inspection house in the said Town, thus Endorsed

By the Lower house of Assembly 6 June 1748

Read the first and second time by Especial Order and will Pass

Signed p Order M Macnemara Ct Lo Ho.

Read the first time in this house and Ordered to Lye on the Table

Adjourned till to Morrow Morning ten of the Clock

June 7 Tuesday Morning 7th June 1748

This house met again according to Adjournment

Present as Yesterday with the Addition of Col Hammond

A Bill from the Lower house by Messrs Broome and Mackall Entituled an Act empowering the Justices of Calvert County Court to assess and Levy on the Taxable Inhabitants of the said County a sum not exceeding One Thousand pounds Current Money, and to impower certain Commissioners therein named to appropriate the same towards building finishing and Compleating a New County Court house for the said County, thus Endorsed

By the Lower house of Assembly 7th June 1748

Read the first and second time by Especial Order and will Pass

Signed p Order M. Macnemara Ct Lo H°

A Bill from the Lower house by Messrs Tilghman and Bayard Entituled an Additional Supplementary Act to the Act Entituled an Act relating to Servants and Slaves thus Endorsed

By the Lower house of Assembly 2 June 1748

Read the first Time and Ordered to Lye on the Table

Signed p Order M Macnemara Ct Lo H°.

By the Lower house of Assembly 7 June 1748

Read the second time and will Pass

Signed p Order M Macnemara Ct Lo Ho.

Read the second time in this house and Ordered to Lye on the Table

Read the second time the Bill Entituled an Act continuing an Act Entituled an Act for raising three pence Sterling p hhd on all To-
p. 253 bacco to be Exported for purchasing Arms and Ammunition and for an immediate Supply of Arms for the Defence of this Province, passed and sent by Col Tasker

Read the second time the Bill Entituled an Act to Enable the Justices of Prince Georges County to secure three Acres of Land Lying in King Georges Parish in said County whereon a Brick Chappel of Ease is already built for the use of the Parishioners Passed and sent by Col Hammond

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J. Liber No. 34 June 7

This house met again according to adjournment

Present as in the Morning

An Engrossed Bill from the Lower house by Mess^{rs} Thomas and Lecompt Entituled an Act Continuing an Act for Raising three pence Sterling ꝑ hh^{d} on all Tobacco to be exported for Purchasing Arms and Ammunition and for an immediate Supply of Arms for the Defence of this Province, thus subscribed 7 June 1748

Read and Assented to by the Lower house of Assembly

Signed ꝑ Order M Macnemara Cl Lo Ho.

Read and assented to by this house and Ordered to be so subscribed

An Engrossed Bill from the Lower house by Mess^{rs} Scarborough & Robins Entituled an Act Granting a further Time for surveying and Laying out a new Town in Worcester County called Newport Town, and Confirming the Privileges Granted by the former Act to the said Town, thus subscribed 7 June 1748

Read and Assented to by the Lower house of Assembly

Signed ꝑ Order M Macnemara Cl Lo H.

Read and assented to by this house and Ordered to be so subscribed

Adjourned till to Morrow Morning ten of the Clock.

Wednesday Morning 8 June 1748 June 8

This house met again according to Adjournment

Present as Yesterday except Samuel Chamberlain Esq^{r}

A Bill from the Lower house by Mess^{rs} Tilghman and Goldsborough Entituled an Act for Dividing S^{t} Pauls Parish in Queen Anns and Talbot Counties and for erecting a New Parish thereout by the Name of S^{t} Johns Parish thus Endorsed

By the Lower house of Assembly 1 June 1748

Read the first time and Ordered to Lye on the Table

Signed ꝑ Order M Macnemara Cl Lo Ho.

By the Lower house of Assembly 1 June 1748

Read the first time and Ordered to Lye on the Table

Signed ꝑ Order M Macnemara Cl Lo Ho.

By the Lower house of Assembly 8 June 1748 p. 254

Read the second time and will Pass

Signed ꝑ Order M Macnemara Cl Lo Ho.

Read the first time in this house and Ordered to Lye on the Table

Read the second time the Bill Entituled an Act directing the former Sheriffs of the several Counties within this Province to

U. H. J. Liber No. 34 June 8

Account with the Justices of the Several County Courts for the Tobacco therein mentioned; and will pass with the following Amendments, the words, aforesaid, in the 6th Line between Sheriffs, and by and Tobacco, and has to be Omitted, and after the word called in the same Line Add the following in Pursuance of an Order of Council Dated the thirteenth of September 1744 in the 8th Line the words, together with, any Commission or Commissions by them Likewise taken from, the People to be left out and the following words inserted after the Deduction of their several Commissions for the Collection thereof, sent by Coł Loyd

Signed ꝑ Order John Ross Cł Up Ho.

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entituled an Act to Divide Prince Georges County and to erect a new one by the Name of Frederick County and will pass with the following amendments Leave out the words, the Upper side of the mouth of the Eastern Branch of Potomack River, and to Run from thence with the said Branch and the Lines of Prince Georges Parish to Patuxent River in the 6th & 7th Lines, and incert the following words, the Lower side of the mouth of Rock Creek and thence by a Strait Line Joining to the East side of Seth Hyatts Plantation to Patuxent River, and that the said Line be Run by the Surveyor of Prince Georges County, and Trees marked for which the said Surveyor to be allowed the same fees as in other Surveys one half thereof to be allowed in Levy of each County; sent with the following Message by Daniel Dulany Esqr

By the Upper house of Assembly 8 June 1748

Gentlemen

The Amendment We propose to the Bill for Dividing Prince Georges County and to erect a New One by the Name of Frederick County is for the Ease and Conveniency of those who Live in the Neck between the Eastern Branch and Rock Creek, which if your house agrees to the Bill may be amended accordingly, But if you think the Division mentioned in the Bill to be more Suitable to the People than that which is Proposed by the Amendment we shall Concur with you in it

Signed ꝑ Order John Ross Cł Up Hº

Read the second time the Bill Entituled an Act for taking off Part of Prince Georges County and adding it to Charles County passed and sent by Philip Thomas Esqr

Read the second Time the Bill Entituled an Act enabling the Commissioners of Charles Town in Cecil County to build an Inspection house in the said Town, and will pass with the following Amendment after the Word, that, in the 30th Line of the first Page, to the Words, the Commissioners in the 32d Line to be Ommitted sent by Coł Hammond U. H. J. Liber No. 34 June 8 p. 255

Read the second time the Bill Entituled an Additional and explementary Act to the Act Entituled an Act impowering the Commissioners of the County Courts to Levy and Raise Tobacco to Defray the necessary Charges of their Counties and Parishes; and with the following Amendments will pass Leave out the words, Between several Counties, in 8th Line and the words, It is, in the 16 Line of the first Page, and also the word, therefore in the same Line sent by Edmund Jenings Esqr

Read the second Time the Bill Entituled an Act impowering the Justices of Calvert County Court to assess and Levy on the Taxable Inhabitants of the said County a sum not exceeding One Thousand Pounds Current Money and to empower Certain Commissioners therein named to Appropriate the same towards building finishing & Compleating a New County Court house for the said County, passed and sent by Col Plater

Read the second time the Bill Entituled an Additional Supplementary Act to the Act Entituled an Act Relating to servants and Slaves, Passed and sent by Benedict Calvert Esqr

Read the second Time the Bill Entituled an Act for Dividing St. Pauls Parish in Queen Anns and Talbot Counties and for erecting a new Parish thereout by the Name of St. Johns Parish Passed and sent by Richard Lee Esqr

Read the second Time the Bill Entituled an Act for the Relief of Thomas Brooke a Languishing Prisoner in Prince Georges County Goal; and will not Pass sent by Col Tasker

Richard Lee Esqr from the Committee of Both houses appointed to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office brings in the following Report

At a Committee of Both houses of Assembly appointed to Inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit Established by Act of Assembly May 17th 1748

Were Present The Honourable Richard Lee Esqr of the Upper house Mr Thomas Sheredine Coł John Henry Mr Abraham Barnes Capt Edward Tilghman Mr John Stoddart of the Lower house

Who make choice of the honourable Richard Lee Esqr Chairman and Richard Dorsey their Clerk and Agree to make the following Report

Your Committee having Carefully Inspected the State of the office for Emitting the Paper Money find that there Remains of the p. 256

U. H. J. Liber No. 34 June 8

89990 £ a Ballance in the Iron Chest as p the annexed Account of £3947..6..0¾

Your Committee further find there is Due from the Several Sheriffs an Account of Ordinary Licences the sum of £1000..2..10 as p the following Account

Dr William Thornton Ann Arundel County		
To Ballance p Report 28th May 1747		99..15.. 0
To Commission on £6..17..6		0.. 6..10½
To List of Licences 1746		113..15.. 0
To Ditto 1747		77..10.. 0
		291.. 6..10½
Cr By Ballance by the Court for Licences Renewed before the year was Expired	6..17.. 6	
By Comm. on £191..5..0		9..11.. 3
By Ballance		274..18.. 1
		£291.. 6..10

Dr John Dennis Somerset County		
To List Licences 1747 £17..10.. 0		
		Cr
By Ballance by the Court for Licences Renewed before the year was expired	4.. 3.. 4	
By Commission on £13..6..8		0..13.. 4
Balance		12..13.. 4
		£17..10.. 0

Edward Trippe Dorchester County Dr		
To Ballance as p Report 28 May 1747		2..00.. 0
Walter Hanson Charles County Dr		
To Ballance as p Report 28 May 1747		23..15.. 0
Richard Porter Talbot County Dr		
To Ballance as p Report 28 May 1747		7.. 2.. 6
John Parran Calvert County Dr		
To Ballance as p Report 28 May 1747		11..17.. 6
James Rigbie Baltimore County Dr		
To Ballance as p Report 28 May 1747		53..16.. 7½
John Risteau, Baltimore County Dr		
To Ballance as p Report 28 May 1747		121..10.. 0
John Cook Prince Georges County Dr		
To Ballance as p Report 28 May 1747 £67..10..0		
To Part List Licences 1746 48.. 2..6		
Commission on £48..2..6 at 5 p Cent 2.. 8..1½		113.. 4.. 4½

Benjamin Bradford Cecil County Dr — U. H. J. Liber No. 34 June 8

To Ballance as p Report 28 May 1747		71.. 5.. 0

Samuel Hanson Charles County Dr

To a List of Licences 1746	13.. 5..0	
Commissions	0..13..3—	£12..11.. 9

Thomas Hungerford Charles County Dr

To a List of Licences 1747	18.. 2..6	
Commission	0..18..2½—	17.. 4.. 4½

James Somerville Calvert County Dr — p. 257

To List of Licences 1747	10..00..0	
Commission	00..10..0	9..10.. 0

Jacob Jones Kent County Dr

To part List Licences 1747 not Recd by Mr Cheston Late Sheriff	4.. 7..6	
Commission	0.. 4..4½—	4.. 3.. 1½

James Richard Baltimore County Dr

To List Licences 1746	11.. 5..0	
To Part Ditto 1747	4..15..6	
Commission	0..16..0	15.. 4.. 6

Henry Morgan Baltimore County Dr

To Part List Licences 1747	27..10..0	
Commission	1.. 7..6	26.. 2.. 6

Roger Boyce Baltimore County Dr

To Part List Licences 1747	8..15..0	
Commission	0.. 8..9	8.. 6.. 3

John Smith Cecil County Dr

To List Licences 1746	21..15..0	
To Ditto 1747	40..00..0	58..14.. 3
Commission	3.. 1..9	

Thomas Lambden Worcr County Dr

To List Licences 1747	16.. 4..0	
Commission	00..16..2	£15.. 7..10

Ennalls Hooper Dorchester County Dr

To List Licences 1747	19.. 7..6	
Commission	00..19..4	18.. 8.. 2

U. H. J. Liber No. 34 June 8

Jacob Hindman Talbot County Dr

To List Licences 1747	15.. 8.. 4	
To Money Recd of Anthony Lecompte for Licences due before he was Sheriff	2..10.. 0	
	17..18.. 4	
Commission	00..17..11—	17..00.. 5

James Hollyday Queen Anns County, Dr

To List Licences 1747	36.. 4..8	
Commission	1..16..2—	34.. 8.. 6

Daniel Cheston Kent County Dr

To Part List Licences 1747	25..00..0	
Commission	1.. 5..0	
		23..15.. 0

Joseph Belt junr Prince Georges County Dr

To Part List Licences 1746	12..10..0	
Commission	00..12..6	
		11..17.. 6

William Manduit Prince Georges County Dr

To part List Licences 1746	7..10..0	
Commission	0.. 7..6	
		7.. 2.. 6

p. 258 Osborn Sprigg Prince Georges County Dr

To List Licences 1747	61.. 5..0	
Commissions	3 . 1..3	
		58.. 3.. 9
		£1030.. 2..10

Your Committee further find that there is still Due on Account of the Publick Assessment the sum of £216..17..6 from the following Sheriffs Viz.

Edward Trippe of Dorchester County	110..15..10½
Richard Porter Talbot County	76.. 8.. 6
Benjamin Bradford Cecil County	29..13.. 1
	216..17..5½

Your Committee take Leave to Observe that at the Request of the Commissioners they did Count over and see Distroyed the following Torn and Defaced Bills U. H. J. Liber No. 34 June 8

Amounting to £1753..9..6 Viz.

311 Bills of	20^{sh} Value	£311..00..0
327 Ditto	15^{s}	245.. 5..0
716 Ditto	10^{s}	358.. 0..0
1304 Ditto	5^{s}	326.. 0..0
1831 Ditto	2^{s}..6^{d}	228..17..6
2210 Ditto	1^{s} 6^{d}	165..15..0
2372 Ditto	1^{s}	118..12..0
		1753..9..6

Your Committee have Received Information from M^{r} Nicholas Hyland a Member for Cecil County that of the thirty shillings ℔ Taxable issued to the several Counties there still Remains as the said M^{r} Hyland has been informed in the hands of the Widow of M^{r} William Rumsay Late of the County aforesaid Deceased near one hundred Pounds which she is ready to Pay when required

All which is Submitted to the Consideration of Both houses

Richard Lee — John Henry — Abr^{m} Barnes
Tho^{s} Sheredine — John Stoddert

Memorandum

Money Paid in by the following Sheriffs since the Closing the Books, Viz.

William Thornton Ann Arundel County	274..18.. 1
Daniel Cheston Kent County	23..15.. 0
Thomas Lambden Worc^{r} County	15.. 7..10
James Hollyday Queen Anns County	34.. 8.. 6
Jacob Hindman Talbot County	13..13.. 3
Ditto under former Law	2.. 7.. 6
James Hollyday under former Law	4..15.. 0
John Dennis Somerset County	12..13.. 4
Ennalls Hooper Dorchester County	18.. 8.. 1½

D^{r} The Office for Emitting the Paper Money of Maryland from the 10th Day of April 1747 to the 10th Day of April 1748 Inclusive

To Ballance of An Account Stated the 10th of April 1747 before Committee of Both houses for such Part of the £89990 as was then signed	4679.. 0.. 7½	p. 259
To Principal Money Paid into the Office on Loans from the 10th April 1747 to the 10th April 1748	2017.. 4.. 0	
To Interest Money Paid into Ditto to some time	573..14..11	
To Ditto Paid into Ditto for costs as mentioned in a former Report	2.. 6.. 4	

U. H. J. Liber No. 34 June 8	To Ditto for Ordinary Licences	351.. 8.. 6
	To Ditto for Publick Allowance	5.. 3.. 0¼
		£7628..17.. 4¾

Cr

By Money Lent on Interest the 10th Day of April 1747.		2339.. 7.. 1
By money Paid for Talbot and Cecil County Goals		1000.. 0.. 0
By Ditto for Commissioners and Clerks Sallarys		320.. 0.. 0
By Ballance of Coined or signed Money Remaining in the Chest	2193..16..6¾	
By Ditto of Money now Destroyed which the Commissioners are to Coin and Replace out of the Books of Renewment of Torn and Defaced Bills	1753.. 9.. 6	
		3947.. 6.. 0¾
By money Paid for Office Expences as p Account of Particulars		22.. 4.. 3
		£7628..17.. 4¾

Particulars of Office Expences Referred to in the above Account, Viz.

Paid Richard Dorsey for Cleaning the Office &c.	8..00.. 0
Ditto for firewood and other necessarys	1..10.. 0
Paid for four New doors and two Locks	9.. 5.. 3
Paid Captain Wood for Primage of a Box with Paper and Books	1.. 0.. 0
Paid Jonas Green for Printing Advertizements Relating to the Office Bonds	2.. 9.. 0
	£22.. 4.. 3

Memorandum

Money Appropriated for Calvert County Goal but not issued or Applyed	500..00.. 0
Remains Unappropriated of the aforesaid £89990 Principal	3447.. 6.. 0¾
	£3947.. 6.. 0¾

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 9th June 1748 U. H. J. Liber No. 34 June 9

This house met again according to Adjournment

Present as yesterday

A Bill from the Lower house by Messrs Barnes and Henry Entituled an Act continuing an Act Entituled an Act for Raising a Duty of three half pence Sterling p hhd on all Tobacco Exported out of this Province for the Use of the Governor, thus Endorsed.

By the Lower house of Assembly 7 June 1748

Read the first Time and Ordered to Lye on the Table

Signed p Order M Macnemara Ct Lo. Ho.

By the Lower house of Assembly 9th June 1748

Read the second time and will Pass p. 260

Signed p Order M Macnemara Ct Lo Ho.

Read the first time in this house and Ordered to Lye on the Table

A Bill from the Lower house by Messrs Henry and Mills Entituled an Additional Supplementary Act to the Act Entituled an Act Relating to Servants and slaves, thus Endorsed

By the Lower house of Assembly 7 June 1748

Read the first Time and Ordered to Lye on the Table

Signed p Order M Macnemara Ct Lo Ho.

By the Lower house of Assembly 9 June 1748

Read the second time and will Pass

Signed p Order M Macnemara Ct. Lo. Ho.

Read the first Time in this house and Ordered to Lye on the Table

A Bill from the Lower house by Messrs Goldsborough and Twelve others, Entituled an Act for the Relief and Release of Distressed Prisoners for Debt thus Endorsed

By the Lower house of Assembly 30 May 1748

Read the first Time and Ordered to Lye on the Table

Signed p Order M Macnemara Ct Lo. Ho.

By the Lower house of Assembly 9th June 1748

Read the second time and will pass

Signed p Order M Macnemara Ct Lo Ho.

Read the first Time in this house and Ordered to Lye on the Table.

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The Journal of the Committee of Accounts is brought from the Lower house by Messrs Worthington and Dashiel, thus Subscribed 9 June 1748

U. H. J. Liber No. 34 June 9

Read and assented to by the Lower house of Assembly
Signed p Order M Macnemara Cl Lo. Ho.

Read the second time the Bill Entituled an Act continuing an Act Entituled An Act for Raising a Duty of three half Pence sterling p hh^{d} on all Tobacco exported out of this Province for the Use of the Governor, passed and sent by Col Lloyd

Adjourned till to Morrow Morning ten of the Clock

June 10

Friday Morning 10th June 1748

This House met again according to Adjournment

p. 261

Present as yesterday except Col Plater

A Bill from the Lower house by Mess^{rs} Key and Gresham. Entituled an Act for altering and Establishing Certain Warehouses and for Other Purposes therein mentioned, thus Endorsed

By the Lower house of Assembly 6 June 1748

Read the first Time and Ordered to Lye on the Table.
Signed p Order M Macnemara Cl Lo Ho.

By the Lower house of Assembly 9 June 1748

Read the second time & will pass.
Signed p Order M Macnemara Cl Lo Ho.

Read the first Time in this house and Ordered to Lye on the Table.

A Bill from the Lower house by Mess^{rs} Stoddert and Wootton Entituled an Act to enable the Justices of Prince Georges County to raise fifty four thousand Pounds of Tobacco for the Repairing and finishing their Court house at Marlborough, and for other purposes therein mentioned, thus Endorsed.

By the Lower house of Assembly 9th June 1748

Read the first Time and Ordered to Lye on the Table
Signed p Order M Macnemara Cl Lo Ho.

By the Lower house of Assembly 10 June 1748

Read the second Time & will pass
Signed p Order M Macnemara Cl Lo. Ho.

Read the first time in this house and Ordered to Lye on the Table.

Nine Engrossed Bills from the Lower house by Mess^{rs} Mackall and Dulany Viz. An Act for Dividing St. Pauls Parish in Queen Anns and Talbot Counties and for Erecting a new Parish there out by the Name of S^{t} Johns Parish: An Act for taking off Part of Prince Georges County, and Adding it to Charles County: An Act to Divide Prince Georges County, and to erect a New one by the Name of Frederick County: An Act to Enable the Justices of Prince Georges County to secure three Acres of Land Lying in King Georges Parish in said County, whereon A Brick Chappel of Ease is already built for the use of the Parishioners; An Act continuing an

Act entituled an Act for Raising a Duty of three half Pence Sterling ꝑ Hh^{d} on all Tobacco exported out of this Province for the use of the Governor: An Act impowering the Justices of Calvert County Court to assess and Levy on the Taxable Inhabitants of the said County a sum not exceeding One thousand Pounds Current Money and to impower Certain Commissioners therein Named to appropriate the same towards building finishing and Compleating a new County Court house for the said County: An Additional supplementary Act to the Act Entituled An Act Relating to servants and Slaves; An Additional and explanatory Act to the Act Entituled An Act impowering the Commissioners of the County Courts to Levy & raise Tobacco to Defray the Necessary Charges of their Counties and Parishes; An Act enabling the Commissioners of Charles Town in Cecil County to build an Inspection house in the said Town. Severally thus subscribed 10th June 1748 U. H. J. Liber No. 34 June 10 p. 262

Read and assented to by the Lower house of Assembly
Signed ꝑ Order M Macnemara Cl Lo H°

Read and assented to by this house and Ordered to be severally so Subscribed

The Journal of the Committee of Accounts being Read is sent to the Lower House with the following Message by Richard Lee Esq^{r}

By the Upper House of Assembly 10th June 1748

Gentlemen

On Perusal of the Journal of Accounts We cannot find any Allowance made to the Governor for 1440 £w^{t} Tobacco for the Seal to 12 Proclamations in 1742 nor of the Late Governors Account of Expences about the house Designed for the Governor, nor is any Allowance made of 2040 £w^{t} Tobacco and three Pounds Currency Due also to the Late Governor for Seals to Several Proclamations and two Death Warrants, and Money Paid for a Journey to Cresap on Publick Business neither is any Allowance made of a Ballance of £120..07..9 Due to the Clerk of this house for Transcribing the Journals, nor are Several Accounts Due to the Printer allowed

All these aforementioned accounts were Laid before your house in the Last Session, but upon your Message of the 11th of July 1747 This house Relying on Your Allowance of them this Session Waved any further insisting on them at that Time, but now We cannot see any Reason to Delay having the several Articles allowed.

Since the Last Session several fees and Expences have incurred due in the Prosecution of four Spanish Prisoners, which we Observe are not allowed but we hope you will on Reconsideration insert those fees and Expences in the Journal, and also rectify a Mistake in the Deduction of a fourth instead of a fifth Out of the Chancellors fees Stated in the Journal to be Due to Novem^{r} 1747

When these Several Allowances are made the Journal will pass
Signed ꝑ Order John Ross Cl Up H°

U. H. J. Liber No: 34 June 10

A Bill from the Lower house by [Mr. Smith and Maj. Hall] Entituled a Supplementary Act to the Act Entituled an Act Requiring the Masters of Ships and Vessells to Publish the Rates of their freight before they take any Tobacco on board, thus Endorsed.

By the Lower house of Assembly 10 June 1748

Read the first and second time by Especial Order and will Pass.

Signed p Order M Macnemara Cl Lo Ho.

Read the first Time in this house and Ordered to Lye on the Table

p. 263 Adjourned till 3 of the Clock in the afternoon.

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Message from the Lower house by Messrs Gordon and Dulany

By the Lower house of Assembly 10th June 1748

May it please your Honours

Mr Jonas Green Printer having made a Remonstrance to this house that a Bill Entituled an Act for the speedy and Effectual Publication of the Laws, and for the Encouragement of Jonas Green of the City of Annapolis Printer passed both houses of Assembly in the year 1738, and another Bill to the same Purpose passed both houses in the year 1739, and as those Bills did not pass into Laws he had no allowance made him thereby altho he was ready on his Part to Perform his agreement with the Publick, and this house having Lately Paid him 120:00:0 We have now Agreed in Consideration of his Disappointments to make him the further Allowance of £180:00:0 Current Money which makes up the sums mentioned in the Two Bills aforesaid and there is in the hands of Mrs Sarah Hollyday [Executrix of James Hollyday Esq.] the late Treasurer of the Eastern Shoar a Large Ballance due to the Publick We propose that an Order be drawn by the Clerk of this house on the said Mrs Hollyday as Executrix of Col Hollyday Payable to Mr Jonas Green or his Order for the sum of one hundred & Eighty Pounds Current Money and desire your honours concurrence

Signed p Order M Macnemara Cl Lo Ho.

Read the second time the Bill Entituled an Act enabling the Justices of Prince Georges County to raise fifty four thousand pounds of Tobacco for the repairing & finishing their Court house at Marlborough and for other purposes therein mentioned passed and sent by Benedict Calvert Esqr

A Message from the Lower house with the Journal of Accounts by Messrs Worthington and Others

By the Lower house of Assembly 10 June 1748

May it please your honours

In Answer to your Message of this Day by Richard Lee Esqr We have Duly considered the Purport of it and cannot agree to make

any further Allowance than what is already made in the Journal because the Persons claiming by their Accounts sent down with the Journal in General have no Just or Legal Pretence to make such Demands, and in Regard to the Deduction of a fourth from the Chancellors Account, We Apprehend the Deduction is made agreeable to the fees Regulated in the Inspection Law; We herewith send you the Journal of Accounts and hope the same will Pass as it now stands U. H. J. Liber No. 34 June 10

Signed p Order M Macnemara Ct Lo H°

The following Message is sent by Col Tasker

By the Upper house of Assembly 10 June 1748

Gentlemen

In Answer to your Message of this Day by Mess^rs^ Gordon and Dulany in Relation to Jonas Green, and although we have no Objection to his being Paid what is Due to him, yet as we Doubt the Legality of disposing of Publick money raised by Act of Assembly by an Order of both houses, therefore instead of an Order We recommend a Short Bill to be passed into a Law for the Payment of the said Money and at the same time it will be Proper to Consider what Money will Remain in M^rs^ Hollydays hands, after Orders Drawn on M^r^ Hollyday in Pursuance of an Act of the Last Session, shall be Discharged p. 264

Signed p Order John Ross Ct Up Ho.

Read the second time the Bill Entituled an Act for altering and establishing certain Warehouses and for other Purposes therein mentioned and will pass with the following amendments

1^st^ Leave out all the 6^th^ Page and to the Words Null and Void, in 7^th^ Line of the seventh Page

2^d^ Leave out the Last Clause in the 7^th^ Page

3^d^ Leave out the Clauses in the 8^th^ Page beginning at the fourth Line and ending at the words been paid, in the 26^th^ Line of the same Page

4^th^ Leave out the Clause after the Word, Inspection, in the 7^th^ Line of the ninth Page, to the word, notwithstanding in the 13^th^ Line

5^th^ Leave out the last Clause but Two in the Last Page beginning at the words and whereas, and ending at the word, mentioned; sent with the following Message by Col Hammond

By the Upper house of Assembly 10 June 1748

Gentlemen

The Amendments Proposed by this house to the Bill Entituled an Act for altering and establishing certain Warehouses and for other Purposes therein mentioned, are so reasonable that we hope your house will concur with us that such Parts of the Bill May pass into a Law as both houses have agreed to be necessary

U. H. J. Liber No. 34 June 10

It is very Certain that the success and Benefit expected from the Inspection Law must arise from a Strict and Due Execution thereof, and that will Depend on the Care of the Persons Intrusted therewith and It is [not] Reasonable to suppose Persons of Less Reputation and Character than Justices can so well support the Opinion of a Proper Execution of the Law, And therefore we cannot Agree to the Alteration of [substituting] the Persons mentioned by the Bill in the Room of Justices for the View and Examination of the Tobacco mentioned in the Clause we have Omitted by the first amendment; besides as the Good Effect the Virginia Law, which hath been greatly advantagious to the Trade of that Colony, and Approved of at home has Recommended a Law of the same kind to this Legislature, We are willing to vary as Little as May be from that Law, lest every Alteration from that should be considered or Urged in Prejudice of Ours

As to the 2^{d} amendment we think the Inspection Law sufficiently Provides for the matter by that Clause intended, and It is not only
p. 265 unnecessary to Multiply Laws or Provisions for what are by former Laws taken Care of, but even imprudent Lest several Laws may Occasion doubts or confusion where there was none before, or a suspicion that more is intended by this Law than was thought of by the Inspection Law.

To the 3^{d} Amendment We Doubt not but you are very sensible the most Effectual Answer that Could be Given to any Objection against that Part of the Inspection Law, which Deducted one fourth of the Debts must have been from the time between the making and Commencement of that Act between which Two Periods Every Creditor might have time either to Recover, Receive compound or enter into any new Contract or Agreement with Regard to the Payment of their former Debts; But if this Amendment should not be made the Creditors here as well as in Great Britain may have Greater Reason than we wish they should have to Complain against being Deprived of the Benefit of such Contracts and Agreement which the People have made subsequent to, and therefore (to be presumed) with full Knowledge of the Inspection Law and Right of Deduction and Especially as it May be Reasonably supposed that most (if not all) of such Bonds or Agreements were to Prevent suits by which the Creditors might have Recovered their whole Debts or Distressed the Debtors perhaps to their Ruin before the Commencement of the Act in that Part

As It is to be wished that Reputable Persons will be appointed Inspectors we are unwilling to Put them under any Disadvantagious or Discouraging distinction and therefore we have thought the fourth amendment proper and more Especially as we hardly imagine the Temptation in that Clause mentioned will prevent the Execution of the Duty of an Inspector.

The Clause Omitted by the 5th Amendment supposes the Inspection Law not in force and therefore not in the least proper in this Bill U. H. J. Liber No. 34 June 10

We Observe that the Salary for the Inspectors for the Warehouses at Thomas Bruffs Landing and at the Old field Landing are allowed but 50£ Each, and the Inspectors for the Warehouses at Kingston and Barkers Landing are allowed 60£ Each, altho (as we are informed) the Trouble is as Great at the former as at the Latter Places, and therefore we think the Salary ought to be the same which we recommend to your Consideration

It cannot be Doubted but there May be several things in the Inspection Law, which may Require some Alteration or Amendment, that cannot now be Discovered, and if they Could would Require more time than can now well be spared the Consideration of which we Conceive is much fitter for the Beginning than the Close of a session And therefore we think the best Course that can now be taken will be, to agree on such a Bill as all the Branches of the Legislature concur in, as absolutely necessary to the Due Execution of the Inspection Law, and Refer what further Amendments may be Expedient to the Consideration of another Session

Signed p Order John Ross Ct Up. Ho.

An Engrossed Bill from the Lower house by Messrs Wootton and Bond Entituled an Act to enable the Justices of Prince Georges County to Raise fifty four Thousand Pounds of Tobacco for the repairing and finishing their Court house at Marlborough and for other Purposes therein mentioned, thus subscribed 10th June 1748 p. 266

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo. Ho.

Read and assented to by this house and Ordered to be so Subscribed

The Journal of the Committee of Accounts being read is Ordered to be thus subscribed

By the Upper house of Assembly 10 June 1748

Read and will not be assented to sent by Edward Jenings Esqr

Signed p Order John Ross Ct Up H°

Read the second time the three Bills following, A Bill Entituled an Additional Supplementary Act to the Act Entituled an Act for the more Effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from Certain Offenders, and to an Act Entituled an Act to Prevent the Tumultuous Meeting & other Irregularities of Negroes and other Slaves and Directing the manner of trying of Slaves: A Bill Entituled a supplementary Act to the Act Entituled an Act requiring the Masters of Ships and Vessells to Publish the Rates of their freight before they take any Tobacco on Board: A Bill Entituled an Act for the Relief and

U. H. J. Liber No. 34 June 10 Release of Distressed Prisoners for Debt; and will not pass, sent by Daniel Dulany Esq[r]

Adjourned till to Morrow Morning ten of the Clock.

June 11 Saturday Morning 11[th] June 1748

This House met again according to adjournment

Present as Yesterday

A Bill from the Lower house by Mess[rs] Smalwood and Hyland Entituled an Act to enable M[rs] Sarah Hollyday Executrix of James Hollyday Esq[r] Deceased to Pay the money therein mentioned thus Endorsed.

By the Lower house of Assembly 10 June 1748

Read the first and second time by Especial Order and will pass.

Signed p Order M Macnemara Cl Lo Ho.

Read the first and second time by Especial Order in this house; passed and sent by Richard Lee Esq[r]

A Message from the Lower house by Mess[rs] Ennals and Paca

By the Lower house of Assembly 11 June 1748

May it please your honours

In Answer to your Message of yesterday by Col Hammond with the Bill Entituled an Act for altering and Establishing certain Warehouses and for other purposes therein mentioned, This house have agreed that the first Part of the Bill that you object to be Left Out.

Also they have agreed to Leave out your 2[d] Objection thereto being of opinion that the Inspection Law sufficiently Guards therefore

As to that part of the Bill to which your honours Propose the 3[d] Amendment We think it so equitable and Agreeable to the Inspection Law that We hope your Honours will not insist on having
p. 267 that Clause Left Out of the Bill; For not only you but all that ever read the Inspection Law must be of Opinion that the true and Genuine Design thereof in Regard to Tobacco Debts was that all such Debts Due at the time of making thereof, and which should be Paid in Inspected Tobacco might be Discharged by Debtors with a Deduction of One fourth part of the Debt. The Inspection Law is so Clear in this matter that it will admit of no Doubt, and we can Truely say that had not such a Provision been Agreed to by all Branches of the Legislative Body no such Law would have been made But we find that Several Creditors in order to evade that Part of the Law have Compelled many Poor unthinking People to enter into new Contracts for their Debts merely to evade the Deduction given by Law and therefore to prevent the Evil which must ensue from such Evasive and Pernicious Practices and to fulfill the real and honest

Intention of the Inspection Law, We think the Paragraph as it stands in the Bill Absolutely necessary for thereby The Evils Complained of and already begun can only be Prevented and one great Motive which induced the passing of the said Law (to wit) The deduction of one fourth of Tobacco Debts Due from the People be secured to them according to the spirit and Intention of the Law aforesaid this will not only restore Quiet to the Minds of the People but be a Means to preserve to them the Right they have acquired by the said Law of having that Deduction as in Justice they ought U. H. J. Liber No. 34 June 11

Your Honours 4th Objection We apprehend to be in Part a Mistake, for We take it that by the Inspection Law an Inspector after he is out of Office can't Trade or Barter for the space of two years which this house Conceives to be to severe on them and by our Amendment it is proposed they may Trade immediately on being out of Office; Our Amendment goes further, and Prohibits their being Sheriff for Two years after they cease to be Inspectors, This may also be Severe on them so that as far as Relates to the Sheriffs Office, We Agree to an Alteration but hope the rest of that Clause may stand.

Your 5th Objection is agreed to by this house but we do not Agree to Advance the Inspectors Salaries that you mention, a Little time will shew Whether it be Necessary or not

Upon the whole we hope your honours will pass the Bill as now proposed that the Business of this Session May be brought to a speedy Conclusion

Signed ꝑ Order M Macnemara Cl Lo Ho.

An Engrossed Bill from the Lower house by Messrs Pearce and Scarborough Entituled an Act to enable Mrs Sarah Hollyday Executrix of James Hollyday Esqr Deceased to pay the money therein mentioned, thus subscribed 11 June 1748

Read and assented to by the Lower house of Assembly

Signed ꝑ Order M Macnemara Cl Lo. Ho.

Read and assented to by this house and Ordered to be so Subscribed

Ordered that the Clerk of this house receive the same fees on all private Bills passed this house this Session, as are allowed by the Lower house to their Clerk. p. 268

The following Message is sent to the Lower house by Benedict Calvert Esqr

By the Upper house of Assembly 11 June 1748

Gentlemen

What you Observe with Regard to the true and Genuine Design of the Inspection Law in the Deduction of One fourth of the Tobacco is certainly right, and therefore we very heartily wish the Clause you Desire, could be thought by us Consistent with such

U. H. J. Liber No. 34 June 11

Rules as ought to be Observed in the framing of Laws: But when we Consider that Liberty was given to the Debtors to Pay but three fourths We cannot at the same time help taking Notice, that if any Debtor has not now that Liberty He has Deprived himself of it by his own Act after the making of the Inspection Law; and We cannot doubt but most of them Choose to Comply with the Payment of their whole Original Debt to avoid a greater Evil; And although some of them may have been ignorantly Drawn in to make new Contracts even under such Circumstances as not to be remedyed or Relieved by any Course of Law, Yet you are very sensible some mischiefs must be submitted to, rather than a General Inconveniency should insue

We realy believe with you that the Law would not have been made without the Provision you Mention, but then you must also allow that the same Law would have been very much hazarded to a Dissent if the Commencement of the Act in that Part had not been protracted to next December, before which time the Creditors might have taken Proper Measures to secure their Debts as we mentioned in Our former Message, and should We now take away any Advantage which that Act Designed for the Creditors by any Composition or Agreement with their Debtors We are very Apprehensive that not only the whole Bill now Designed to be passed into a Law would be Dissented to, but the Legislature Looked as not Observing a Proper Impartiality between Creditors and Debtors; And this Apprehension is the Stronger from the Late Application of the Liverpool Merchants against the Inspection Law, who in all Probability must have Prevailed, were it not for the time given them to get in or secure their Old Debts; and therefore we hope We shall not be thought by you to be unreasonable in insisting on the 3^{d} Amendment since in Our Conception such a Clause would be contrary to Reason, not Agreeable to the Laws of England and even inconsistent with the Power of Legislation under which we act.

We agree that the Part of Our fourth amendment which you Mention, has Proceeded from a Mistake and therefore we recede from it

Signed p Order John Ross Cł Up Ho.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

p. 269 The following Message is sent by Coł Hammond

By the Upper house of Assembly 11 June 1748

Gentlemen

In your Journal of Last Session a Report was made by a Committee Appointed by your house to Inspect the Deed of Purchase

of the Land whereon the house for the Residence of a Governor is built also the Buildings and other Materials on the said Land now being whereby it not only Appeared that the said house was exposed in such Manner as that some Parts thereof were upon the Decay, but also that several of the materials purchased for the same were in great Danger of being Spoiled by Rains coming through the Roof of the house U. H. J. Liber No. 34 June 11

Under these Circumstances We Conceive that what ever Use may be hereafter made of the house or Materials, It is however not only expedient but even necessary to give such Directions for the securing and preserving them, so that they may be Usefull & Serviceable for what purposes they may be hereafter Applyed to; and We shall readily Concur in whatever Measures your house thinks fit for this End.

Signed p Order John Ross Ct Up Ho.

The Speaker attended by the members of the Lower house brings up to this house the following Message

By the Lower house of Assembly 11 June 1748

May it please your honours

In answer to your Message of this Day by Benedict Calvert Esqr Your Honours agree that what We observe with Regard to the true and genuine Design of the Inspection Law, in the Deduction of One fourth of the Tobacco is certainly Right that a Liberty was given to the Debtors thereby to pay but three fourths. We are sorry that an Intention so universally approved should meet with any Obstruction in being carried into Execution Especially in a Point so essentially necessary for Preventing avaritious and Crafty Creditors from having it in their Power to gain by Subtility & Evation a Greater sum from their unhappy Debtors, than what the Legislature Designed as a Just Equivalent under the said Law, by means whereof the People are subject to Oppression and that Justice and Equity Entended between the Creditor and Debtor intirely frustrated and the Poore Distressed Debtor Drawn into a snare that he can truly be said not to have in his Power to avoid; For if it is well known how Little freedom of Action or Person under such Circumstances Enjoys, and should such Evasive Construction Prevail, it must be Manifestly injurious to the Scope and Design of the said Law, We think it not only consistant but becoming the Legislature to Remedy an Evil so Obvious and thô Particular Inconveniences may happen sometimes under a Law penned with the Greatest Deliberation, yet We conceive, that the Legislative Body have or ought to have the Felicity of the People whom they Govern at all times in View, and shew their good Inclinations by the Greatest Willingness to Contribute a Remedy to any Evils that may happen as soon as Discovered, so ought in more Especial Manner Regard to be had (We Apprehend) in the present Case, as your honours Well know with what

U. H. J. Liber No. 34 June 11 p. 270

Difficulty the said Law was Gained, and it seemed at that time to be the View of Both houses to amend anything that might be defective, at any after Session: We shall be concerned if your Honours should not concur with us in aiding a Defect so much for the keeping up the true Plan of the said Law, the dispencing (as We Apprehend) Equal Justice, which is so much for the Ease and Security of the People in General

We must also Observe to your honours that that the Commencement of the Law was not Protracted to December next, in Order to give Creditors an Opportunity of securing their Debts by any Composition or Agreement with their Debtors, but for the Countrys receiving an Account of the fate of the said Law, before they Proceeded to carry the same into Execution, so We Apprehend that such Creditors have unfairly Proceeded to Compell such Debtors to enter into new Contracts and Bonds in Order to evade the said Law and Deprive such Debtors of that Abatement which the whole Legislature thought highly just and reasonable, and therefore We make no Doubt but that your honours will approve of the Clause which so Greatly Contributs to the Ease and well being of the People

Signed ꝑ Order M Macnemara Cł Lo H°

The following Message is sent to the Lower house by Daniel Dulany Esq[r]

By the Upper house of Assembly 11 June 1748

Gentlemen

We do assure you It is with the utmost Reluctance that we can Prevail with Ourselves to Refuse Our Concurrence to what you so earnestly press; But nothing Less than the strongest Conviction of the impropriety & Injustice of the Clause would have Extorted from us this so Positive a Declaration as We are obliged now to make of adhering to Our amendment

Signed ꝑ Order John Ross Cł Up H°

An Engrossed Bill from the Lower house by Mess[rs] Sheredine & Thomas Entituled an Act for altering and establishing certain Warehouses and for other Purposes therein mentioned, thus Subscribed 11 June 1748

Read and assented to by the Lower house of Assembly

Signed ꝑ Order M Macnemara Cł Lo Ho.

Read and assented to by this house and Ordered to be so subscribed.

The Several Paper Bills the Originals of which have passed this house this Session are sent to the Lower house by Coł Tasker

Mess[rs] King and Key from the Lower house acquaint his Excellency Their house hath no Business before them

Daniel Dulany Esq[r] is sent to the Lower house to acquaint the speaker that his Excellency Requires his immediate Attendance with

the Lower house in the Upper house to see the Laws passed both houses this Session receive the assent U. H. J. Liber No. 34 June 11

The Lower house attend and by their Speaker present to his Excellency the following Bills Viz.

N° 1. An Act to exempt Persons appearing at Musters from Arrests in Civil Cases.

2. An Act impowering the Justices of Kent County to assess & Levy on the Taxable Inhabitants of Shrewsbury Parish in the said County a sum not exceeding Eight thousand Pounds of Tobacco for the uses therein mentioned p. 271

3. An Act to Prohibit the raising of Swine in Leonards Town in S[t] Marys County

4 An Act for ascertaining the Bounds of King and Queen Parish in S[t] Marys County and for making the same and All faiths Compleat Parishes, on the Death of the Reverend M[r] John Urquhart, present Incumbent of All faiths Parish Lying in St. Marys and Charles Counties

5. An Act to impower and Direct the Clerk of Ann Arundel County Court to enter and Record among the said County Records a Deed of Bargain and sale from William Mitchell Edward Mitchell and Grace his Wife to Mordicai Moore Deceased

6. An Act impowering the Justices of Worcester County to Levy on the Taxable Inhabitants of Alhallows Parish in the said County a sum not exceeding Eighty thousand pounds of Tobacco for the uses therein mentioned

7. An Act to enable the several and Respective County Clerks within this Province to Remove some of the County Records and Papers from the Publick offices.

8 An Act impowering the Justices of Queen Anns County to Levy on the taxable Inhabitants of Christ Church Parish in the said County the sum of 37100 pounds of Tobacco for Repairing and enlarging their Parish Church

9. An Act Relating to that part of King and Queen Parish which Lyes in Charles County and was lately severed by the Death of the Reverend M[r] John Donaldson

10 An Act to Remedy some Defects in an Indenture of Bargain and Sale made and Executed by Charles Carroll of Annapolis Surgeon and John Bradford of Prince Georges County Gentleman of the One Part, & Daniel Carroll of Marlborough in Prince Georges County of the Other Part.

11. An Act continuing an Act Entituled an Act for Raising three pence Sterling p Hogshead on all Tobacco to be Exported for Purchasing Arms and Ammunition and for an immediate Supply of Arms for the defence of this Province

U. H. J. Liber No. 34 June 11

12. An Act granting a further time for surveying and Laying out a new a Town in Worcester County called Newport Town and Confirming the Privileges granted by the former Act to the said Town.

13. An Act for Dividing St. Pauls Parish in Queen Anns and Talbot Counties and for erecting a New Parish thereout by the Name of S[t] Johns Parish

14. An Act for taking off part of Prince Georges County & Adding it to Charles County

15. An Act to Divide Prince Georges County and to erect a New One by the Name of Frederick County

16. An Act to Enable the Justices of Prince Georges County to Secure three Acres of Land Lying in King George Parish in the said County whereon a Brick Chappel of Ease is already built for the use of the Parishioners

17. An Act continuing an Act Entituled an Act for raising a Duty of three half pence Sterling ꝑ hhd. on all Tobacco exported out of this Province for the Use of the Governor

p. 272 18 An Act impowering the Justices of Calvert County Court to Assess and Levy on the Taxable Inhabitants of the said County a Sum not exceeding 1000£ Current Money, and to impower Certain Commissioners therein named to appropriate the same towards building finishing & Compleating a New County Court house for the said County.

19. An Additional Supplementary Act to the Act Entituled an Act Relating to Servants and Slaves.

20. An Additional and Explanatory Act to the Act entituled an Act impowering the Commissioners of the County Courts to Levy and Raise Tobacco to Defray the necessary Charges of their Counties and Parishes

21. An Act enabling the Commissioners of Charles Town in Cecil County to build an Inspection house in the said Town

22. An Act to enable the Justices of Prince Georges County to Raise 54000 pounds of Tobacco for the Repairing and finishing their Court house at Marlborough and for other purposes therein mentioned

23. An Act to Enable M[rs] Sarah Hollyday Executrix of James Hollyday Esq[r] deceased, to Pay the Money therein mentioned

24. An Act for altering and establishing Certain Warehouses and for other purposes therein mentioned

All which his Excellency passed into Laws in the Usual form by Sealing them with the Right honourable the Lord Proprietarys Great Seal at Arms and Subscribing them on behalf of the Right honourable the Lord Proprietary of this Province I WILL THIS BE A LAW

After which his Excellency was pleased to Conclude this Session with the following Speech U. H. J. Liber No. 34 June 11

Gentlemen of the Upper and Lower houses of Assembly

The Temper and Moderation with which you have Carried on the public Business of this Session are highly Commendable; and I flatter myself that the Laws now made will be of real Service to the Country

Gentlemen of the Lower house I acknowledge the regard you have Shewn to myself; and I cannot Express the grateful Sense of it better than by doing every thing in my power to Promote the happiness of the Province and to Oblige you upon every Occasion: which you may Certainly Depend upon

Gentlemen The Business of this Session being at an End, I have, with the Advice of his Lordships Council of State, thought fit to Prorogue this Assembly to the second Tuesday in October next, and You are to take Notice you are Prorogued to that Day accordingly

Thus Ends this Session of Assembly begun and held at the City of Annapolis the tenth Day of May and Ending the Eleventh Day of June following in the thirty fourth year of his Lordships Dominion and in the twenty second year of his Majestys reign Annoq Domini 1748. p. 273

Jno. Ross. Cl.

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

L. H. J. Liber No. 46 1748, May 10 p. 749

At a Session of Assembly, held at the City of Annapolis on Tuesday the Tenth Day of May in the Year 1748 and in The Thirty fourth year of the Dominion of the Right Honble Charles absolute Lord and proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore &c. His Excellency Samuel Ogle Esq^{r} being Governor.

Appeared in the Lower House of Assembly,

The Honble Colonel Edward Sprigg Speaker

For S^{t} Mary's County
- Capt. Zachariah Bond
- M^{r} James Mills

For Kent County
- M^{r} Matthias Harris

for Anne Arundel County
- Major Henry Hall
- Doctor Charles Carroll
- M^{r} Philip Hammond
- M^{r} Tho^{s} Worthington

for Calvert County
- M^{r} Walter Smith
- M^{r} John Brome

for Charles County
- M^{r} Bayne Smallwood
- Capt. Richard Harrison

for Somerset County
- Col. Rob^{t} King
- Col. George Dashiel
- Capt. Isaac Handy
- Major Robert Jenckins Henry

for Talbot County
- M^{r} Robert Lloyd
- M^{r} John Goldsborough

for Dorchester County
- Col. Henry Hooper
- Capt. Bartholomew Ennalls
- M^{r} Philemon Lecompte
- M^{r} Daniel Sulivane

for Cecil County
- Capt. Nicholas Hyland
- M^{r} Benjamin Pearce
- Capt. Peter Bayard

For Baltimore County
- Capt. John Paca
- Col. John Hall

for Prince Georges County
- M^{r} Turnor Wootton
- Capt. John Stoddert

for the City of Annapolis
- Capt. Robert Gordon
- M^{r} Walter Dulany

for Queen Anne's County
- M^{r} Thomas Hammond
- Capt. Edward Tilghman
- Capt. William Hopper

for Worcester County
- M^{r} Thomas Robins
- Colo. John Henry
- Col^{o} John Scarborough
- Capt. John Purnell

A sufficient Number of Members to compose a Lower House of Assembly being met at the Stadt House Col. King and Major Hall were sent to Acquaint the Governor therewith.

Richard Lee and Benedict Calvert Esq[rs] from the Upper House acquaint M[r] Speak[r] L. H. J. Liber No. 46 May 10

The Gov[r] requires the Attendance of the Lower House immediately, in the Council Chamber

M[r] Speaker left the Chair, and with the Members of the Lower House, attended his Excellency in the Council Chamber His Excellency the Governor made the following Speech (See page 3) p. 750

M[r] Speaker returned, with the rest of the Members, to the Lower House, and resumed the Chair. The Governor communicated to M[r] Speaker the following papers Viz. Minutes of Council, containing the Treaty between the president and Council, and the Indians of Ohio.

At a Council held at Philadelphia the 13[th] November 1747

Present

The Honble Anthony Palmer Esq[r] President		
Thomas Lawrance	Samuel Hassell	
William Till	Abraham Taylor	Esq[rs]
Robert Streettell	Benjamin Shoemaker	
Joseph Turner	William Logan	

Ten Indian Warriors from Ohio having arrived in Town on Wednesday, the president sent them a message yesterday by M[r] Weiser the Interpreter, to bid them welcome and understanding that they were Desirous to be heard to Day he summoned the Council for this purpose M[r] Weiser attending, he was sent to tell the Indians the Council was sitting, and ready to receive them. They Immediately came. The president informed them the Council were glad to see their Brethren took their Visit kindly and Desired to know what they had to Communicate after a pause the principal Warrior rose up, and spoke as follows. Brethren the English, the Governor of York the Commissioners of Albany, the Governor and Counsellors of Pennsylvania. We who speak to you are Warriors living at Ohio, and address you on behalf of ourselves and the rest of the Warriors of the Six Nations. You will perhaps be surprised at this unexpected Visit, but we could not avoid coming to see you, the Times are become so critical and dangerous. We are of the Six Nations who are your Ancient Friends having made many Treaties of Friendship with the English and always preserved the Chain bright you know when our Father the Governor of Canada, declared War against our Brethren the English you, the Governor of New York, the Commissioners of Indian Affairs at Albany, the Commissioners for this Province sent to inform the Council at Onandago of it, and to desire that they would not meddle with the War that they would only Look on and see what would be done; that we the Indians would let you fight it out by your selves and not pity either side; and that p. 751

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we would send to all the Nations in Alliance with us to do the same and accordingly the Indians did send to all their Friends and Allies and particularly to the Indians about the Lakes and in the places where we live, requesting they would not engage on either side; and they all stood Neuter, except the French praying Indians, who, tho' they promis'd were not so Good as their words. This is the first thing we have to say to our Brethren; and we hope they will receive this in good part, and be willing to hear what we have further to say. Brethren When the Indians received the first Message from the English, they thought the English and French would fight with one another at Sea, and not suffer war to be made on the Land but some time after the Messengers were sent by all the English to Onondago, to tell us that the French had begun the War on the Land in the Indian Counties, and had done a great deal of mischief to the English and they now desired their brethren the Indians, would take up the Hatchet against the French, and likewise prevail with their Allies to do the same. The old men at Onondago however refunded to do this, and would adhere to the Neutrality and on their declaring this, the English sent other Messengers again and again, who pressed earnestly that the Indians would take up their Hatchet, but they were still denied by the old men at the fire at Onondago who unwilling to come into the war, sent message after message to Canada and Albany to desire both parties would fight it out at sea. At last the young Indians, the Warriors and Captains consulted together and resolved to take up the English Hatchet against the will of their old people, and to lay their old people aside as of no use but in Time of Peace. This the young Warriors have done, provoked to it by the repeated applications of our Brethren the English, And we now come to tell you, that the French have hard Heads, and that we have nothing strong enough to break them; we have only little sticks and Hickories, and such Things, that will do little or no Service against the hard Heads of the French; we therefore present this Belt, to desire that we may be furnished with better weapons; such as will knock the French down, and in token that we are hearty for you and will do our best, if you will put better arms into our hands, we give you this Belt. Here they gave a belt of seven rows.

Brethren, When once we, the Young Warriors engaged we put a great deal of Fire under our Kettle and the Kettle boiled high and so it does still. Meaning they Carryed on the war briskly that the Frenchmens heads might soon be boiled. but when we look about us to see how it was with the English Kettle, we saw that the Fire was almost out, and that it hardly boil'd at all, and that no French mens heads were like to be in't This truly Surprizes us, and we are come down on purpose to know the reason of it. How comes it to pass that the English who brought us into the war, will not fight themselves. This has not a good appearance, and therefore we give

you this string of Wampum to hearten and encourage You to desire you would put more fire und^{r} y^{r} Kettle. Here they presented a string of Wampum of Seven Strings. Brethren we have now done with general matters, but old Scahady [Scaiohady] desires to Inform the Council, that he was here in James Logan's Time along Time ago, when he had but one Child, and he a Little one that he was then employed in the Affairs of the Government, that James Logan gave him this string, to assure him, if ever he should come to want and Apply to this Government, they would do something for him. Scawhady [Scaiohady] is now grown old and infirm and recommends himself to James Logan's and the Councils Charity Here he laid down a string of Wampum L. H. J. Liber No. 46 May 10

The Indians withdrew, and the Council adjourned to To Morrow Morning Eleven o'Clock

In the Council Chamber 14th Novem^{r} 1747

Present Thomas Lawrence, Robert Strettell, Benjamin Shoemaker, William Logan } Esquires

The President being indisposed, and the Other members not attending there could be no Council. the Members present Judged that before the heads of an Answer to the speech of the Indians Could be considered it was Necessary, previously to learn from M^{r} Weiser the particular History of these Indians their real Disposition towards us and their future Designs, and accordingly sent for him; he said the Indians had in part Told him their mind, and he thought they might be brought to tell him more; and when they did he would inform the Council, The members likewise Judged, that it might be of Service to know M^{r} Logans Sentiments about what might be proper to be said to the Indians and requested M^{r} Weiser and the Secretary to wait on him for that purpose.

At a Council held at Philadelphia 16th November 1747 p. 752

Present

The Honorable the President

Thom^{s} Lawrence, Samuel Hassell, William Till, Abraham Taylor, Robert Strettell, Benjamin Shoemaker, Thomas Hopkinson, William Logan } Esquire

M^{r} Weiser attending, was called in, and informed the Council, that he learned the following particulars from the Indians Viz. That last summer the Governor of Canada had sent the Hatchet to the Indians about the Lakes and on the branches of Ohio, that one Nation took it up, and that these Indians, and the Indians in those Quarters, consisting principally of Warriors, being afraid others would do the like, to prevent this took up the English Hatchet, and proclaimed War against the French, which had a Good Effect, no

L. H. J. Liber No. 46 May 10

more daring after this, to meddle with the French Hatchet; that these Indians on Ohio had concluded to Kindle a Fire in Their Town, and had invited all the Indians, to a Considerable Distance round about them, to come to their Fire in the Spring, and that they had consented to it. M^r^ Weiser added that the Indians in the parts these people came from were numerous, not less than five hundred men, and had many Allies more numerous than themselves; that it was always the custom in War time to put the management into the hands of the Young People and that it would be of the most pernicious Consequence, not to give them Encouragement at this Time, and particularly he thought the Council should at least Tell them they approved of their taking up the Hatchet and acknowledge the service done to the English by their Seasonable Declaration in their Favour, he thought Providence had Furnished this province with a fine opportunity of making all the Indians about the Lakes their friends, and warm friends too M^r^ Wieser being asked what sort of a present should be given to them at this time he said Goods were now so dear, that the Value of one hundred pounds would appear but small, that they should have so much given them at least, and half as much to the Canayiahaga Indians; not that This was by any means sufficient but would be a good Salutation at present, and preparatory to a larger to be sent in the summer. This he Judged Necessary to be done, and that they should now be told of this future present, and tho he had never been in those parts yet he Judged the Attaching these Indians and their friends to the English Cause to be so Necessary, that he would if the Council pleased, and his health should permit, go with the present himself, and see with his own Eyes the number of Indians was there, and in what Disposition. He said further that he accompanied the Secretary to M^r^ Logan's Yesterday, and that the Secretary had informed M^r^ Logan of all these particulars, and taken his sentiments in Writing and on them formed the Plan of an Answer. The Board ordered the Secretary to read what he had wrote; and on Considering this and M^r^ Weiser's Information, An Answer was agreed to and the presents Settled. The Council adjourned to Four o'Clock in the after Noon, and directed that the Indians should be told to be there, in order to receive the Answer of the Council to their Speech

Post Meridiem

At a Council held at Philadelphia 16^th^ November 1747

Present

The Hoñble Anthony Palmer Esq^r^ president

and the same members as in the Forenoon

The Indians having taken their Seats, the president Spoke as follows.

Brethren Warriors of the Six Nations. We the President and Council of the Province of Pennsylvania, have taken what you Told us into Consideration, and are now going to give you an Answer. We are always glad to see our brethren, and are particularly pleased at this Critical Time with your present Visit, you are Sensible of the constant Friendship this Government has always shewn to the Indians of the Six Nations, and that from their first Settlement in the Country, their Interest has been put on the same Foot with our own and as long as you shall Act up to your Engagements you will never want the most substantial proofs that we can give of our Regard for your Nations. You tell us that at the beginning of the war, you received a message from all the English to stand Neuter, and to prevail with your Allies to do the same; that in Compliance therewith you did stand Neuter, and all your Allies except the praying Indians, who promised, but broke their word; that the French commencing Hostilities you received repeated Messages from the English to continue Neuter no longer, but to take up their Hatchet against the French, and that you and your allies have Accordingly done this. Brethren, you did well to hearken to the Messages sent by the English your Allies so readily Concurring with you shews you keep up a good understanding with them for which you are to be commended, You live in small Tribes at a Distance from one Another; separate you will be easily overcome; united it will be difficult if not impossible to hurt you, Like the strings on which you put your Wampum A single Thread is soon snapped a few require more strength; but if you weave them into a Belt, and fasten them tight together, it must be a strong hand that can break it. We are pleased to hear, that at the pressing Instances of the Governors of New York and New England, you have taken up the Hatchet against the French, who you know Notwithstanding their fair speeches, have been from the beginning your inveterate Enemies, and in Confirmation that we approve of what you have done, we give you this belt. By your string of Wampum you tell us, that you observe the English Kettle does not boil high and you give the string to all the English to encourage them to put more Fire under their Kettle. As you address this to all the English, we shall send y^{r} string to the other Governors; But to lessen your concern on this Account, we are to apprize you that the French were sending Large forces in big ships, well Armed with great Cannon, over the Seas to Canada, that the English pursured them attack^{d} them took their men of war, killed a Number of their men, and carryed the rest prisoners to England This Victory put a stop for the present to the Expedition intended against Canada, you are therefore not to Judge by the appearance Things makes now that the English Fire is going out, but that is only Accidental And it will soon blaze again. As this is the first Visit paid us by our Brethren the Warriors, living on the Branches

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of Ohio, to shew that we take it kindly of them, and are desirous to Cultivate and Improve the friendship Subsisting between the Six Nations and us, we have provided a present of Goods a List whereof will be read to you at the Close of our Answer: They are at John Harris's and the Interpreter will go along with you, and Deliver them to you there. In the spring we propose to send M^r^ Weiser to you and he will be Furnished with a proper present to be Distributed to all the Indians at Ohio and Canayiahaga and about the Lake Erie, in Confirmation of what we say we give You this string of Wampum Having received by the Traders a Kind Message from the Canayiahaga Indians, to let them see we are well pleased with it, we have sent them a small present of powder and Lead by M^r^ Crogton, which you will inform them of and Likewise of our further Intentions in their favour with this String of Wampum, which is given you for that purpose. The president and Council, at y^r^ recommendation, will take care to give Scawhady [Scaiohady] A present for his own private use, and his old friend M^r^ Logan will do the same. A string of Wampum

The Indian Speaker having consulted with Scawhady, [Scaiohady] took up the belt and strings of Wampum in the order they were presented and repeating the Substance of every Paragraph expressed high Satisfaction at what the Council had said, and promised to send the string of Wampum to the Canayiahaga Indians, who being their own Flesh and Blood They were pleased with the regard shewn to them; and in Testimony of their entire Satisfaction and Devotion to the English Interest, they gave the Indian Marks of Approbation, and danced the Warrior Dance

A True Copy Richard Peters, Secr.

November 25th 1747

A Message from the President and Council to the Assembly.

Gentlemen

You will see by the papers, which are ordered to be laid before you, that we have had a Treaty with some Indian Warriors from Ohio, who came to Town for that purpose by them we are given to understand that the Tribe of Indians being a mixture of the Six Nations, to which these Warriors belong have actually resolved to adhere to their Brethren the English against the French and propose to kindle a great Fire at Ohio in the Spring, to which they have invited the Indians living round about them to Join with them in these resolutions, This is an Extraordinary Event in our Favour, which ought to be Improved to the greatest Advantage, from the situation of these people being mostly within the Limits of this Government,

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they are capable of doing or preventing the greatest mischiefs and from what passed at a Conversation between them and the Interpreter, there is reason to apprehend that without Encouragement

from this Province they may be seduced by the French to go over to the side whereby the Lives of the back Inhabitants will be in the utmost Danger, These Considerations have induced us to give them the Goods mentioned in the account Delivered you herewith, and to promise to send the Interpreter with a Larger present, to their Fire at Ohio in the Spring, you will therefore take Care, at this Session, to come to such Resolves as will enable us to make good our Engagements. L. H. J. Liber No. 46 May 10

Examined by. Anthony Palmer, President
Richard Peters. Secr.

Novemb^{r} 25th 1747

A message to the President and Council from the Assembly.

May it please the president and Council.

We have taken into our Consideration y^{r} Message of the 25th of November last, concerning the Treaty held with the Indians from Ohio: The Importance of These Indians towards the Continuing and Cultivating the good understanding which hath so long subsisted between the Government and the six Nations we observe, from the Treaty depends pretty much on the account they give of themselves; however as they are a part of the Six Nations, who very probably in this Calamitous Time, are often in want of Necessaries to acquire their Livelihood, we approve of the present you thought fit to make them, and also of the Account you have sent the six Nations of a Larger ꝑsent intended for them in the Spring; and we shall take the Care which is Necessary to enable you to fulfil that Engagement, permit us however to add that we think it will be Necessary to press their Union amongst themselves; and that they will do well to have due regard to the opinion of their old and well Experienced men, whose advice from the account they give seems to have been laid Aside, most of us you are Sensible are men of Peaceable Principles and the presents we gave, and those Formerly given on behalf of this Government, so far as we have understood, were to supply them with Necessaries towards acquiring a Livelihood, and to Cultivate A Friendship between us and not to encourage their entering into a war. This we think most for the Kings Interest and the Peace and Safety of His Colonies in America; it being well known, that wars once begun amongst them are not to be ended without Great Difficulty and are attended with so much Bloodshed and Cruelty, as usually excites Revenge and like Inhumanity from the Indians in the French Interest, against those in Amity with us, and against others the Kings Subjects. We observe from Conrad Weiser's Letter, which you were pleased to order to be laid before us, the Indians continue their Complaints of the Injuries they have received by the Carrying of Rum amongst them; and we therefore hope you will endeavour to prevent this for the future, by directing the Laws pro-

L. H. J. Liber No. 46 May 10 vided against this abuse to be duly put in Execution. As to that part of the message we have mentioned, which relates to Governor Shirley's Letter and proposals, we are not Informed of any further accounts received from him since our last meeting and therefore our Sentiments on that occasion at this Time will, we presume, be of little use.

Signed by order of the House
John Kinsey, Speaker

11th Mo. 9th 1747

[Letters of Conrad Weiser and Council of Pennsylvania, see pages 4-8]

p. 756 The House adjourns until the morrow Morning 9 of the Clock

May 11 Wednesday Morning May 11th 1748

The House met according to adjournment; all Members were present as Yesterday.

Messieurs John Gresham, Richard Gresham John Addison & William Thomas appeared in the House. The House appoints Mr Hammond Dr Carroll, Mr Lloyd Col. Hooper, Major Hall Mr Harris and Majr Henry a Committee of Laws, Mr Smith Mr Worthington Mr Smallwood Mr John Gresham, Mr John Goldsborough Capt. Ennalls and Col. Dashiel, a Committee of Elections and privileges Dr Carroll Mr Richard Gresham, Mr Paca Colo Hooper, Mr Stoddert & Mr John Goldsborough, A Committee of Aggrievances and Courts of Justice

p. 757 Col King Mr Worthington Mr Wootton and Colo Dashiel, A Committee of Accounts Mr Smith Mr Wootton, Major Hall Mr Thomas Col. Hooper and Mr Addison a Committee to inspect the State and Condition of the Arms and Ammunition and Accounts relating thereto. Colo Henry Capt. Stoddert and Mr Edward Tilghman a Committee to Inspect the office and proceedings of the Commissioners or Trustees for emitting Bills [of] Credit established by Act of Assembly. The House continued the several Clerks to the Committees as were last Session. Resolved That the Hours of sitting to Dispatch public Business this Session, be from 9 of the Clock in the Forenoon until 12 and from 2 of the Clock in the afternoon, until 6. Ordered That Mr Worthington acquaint the Revd Mr Gordon, that he is desired by this House to read Divine Service Daily during this Session, at 7 o'clock in the Morning, and at 6 of the Clock in the afternoon ordered that the Committee of Laws do prepare an Address to the Governor On his Speech ordered That Mr Speaker issue his Warrant to the Secretary of this Province to make out a new Writ of Election, directed to the Sheriff of Charles County, to elect a member to serve in this present Assembly in the Room of

M[r] John Courts, deceased. M[r] Hammond, from the Committee of Laws, delivers to M[r] Speaker an Address to his Excellency the Governor; which was read, approved, and ordered to be Ingrossed. The House Adjourns until 2 of the Clock post Meridiem The House met according to adjournment. L. H. J. Liber No. 46 May 11

D[r] Buchanan and M[r] Wilkinson appeared in the House. Capt. Tilghman is added to the Committee of Laws. D[r] Buchanan is added to the Committee of Accounts. M[r] Hammond, from the Committee of Laws delivers to M[r] Speaker the following Ingrossed address; Viz.

To his Excellency Samuel Ogle Esq[r] Governor of Maryland.

The humble address of the House of Delegates of the said Province

May it please your Excellency

We his Majestie's most dutiful and loyal Subjects, the Delegates of the Freemen of the province of Maryland, in Assembly convened, return your Excellency our hearty Thanks for your kind speech at the opening of this Session. The continuance of the Friendship of the six Nations of Indians will at all times be very agreeable to us, and we shall forthwith take under our Consideration the papers from the president and Council of Pennsilvania, which you have been pleased to lay before us and give the same, as well as all other matters which may occur due attention and the utmost Dispatch; and we hope in the Course of our Public Deliberations there will arise no other Subject of Dispute between the branches of the Legislature, than which shall be most forward in promoting the real Interest of the good people of this province We readily acknowledge with y[r] Excellency, that the reducing the Laws of this province to the greatest Certainty must add to the security of property, and the promotion of Industry; and we are determined never to Omit any opertunity whereby we can testify our regard to either as the Situation and Climate of this province leave room for greater Improvement in the product and Trade thereof, which is our strongest Inclination, and shall be our Endeavour to promote; so we shall always hope, from y[r] Excellency's kind Expressions, to meet with your Concurrence in whatever may Contribute thereto.

Which was read and assented to and signed by order of the House by the Hoñble Speaker Doct[r] Carroll and Maj[r] Hall were ordered to acquaint the Governor, this House hath prepared an Address to him, and desires to know when and where he will please to receive it They return, and acquaint M[r] Speaker, the Governor Signified he would be ready to receive the address in an Hours time in the Conference Chamber. M[r] Hammond and thirteen more were ordered to present the address to the Governor, on reading the remonstrance and Petition of the Justices of Prince George's County Court, re-

L. H. J. Liber No. 46 May 11 p. 758

ferred from the last Meeting in Assembly to this Session, praying that an Act may pass for fixing and ascertaining the Bounds of Prince George's and Baltimore Counties, so far as they relate to each other; it is granted ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. Resolved That the House take into their Consideration Tomorrow Morning the Letter from the President and Council of Philadelphia and the several papers relating to the Indians mentioned in the Governors Speech On motion of a Member, Leave is given to bring in a Bill to exempt all persons (appearing at Musters, by Virtue and Force of any Law now in being) during the Continuance of the Bill, from Arrests in Civil Cases, ordered, That the Committee of Laws prepare and bring in a Bill accordingly. The House adjourns until Tomorrow Morning 9 of the Clock.

May 12

Thursday Morning May 12. 1748

The House met according to Adjournment, all Members present as yesterday.

M^r^ Nicholas Goldsborough appeared in the House The House taking into Consideration the Letter from the President of Pennsylvania to the Governor, and other papers relating to the Indian affairs; Resolved that in as much as there hath been lately an expensive Treaty settled with this Province, and the six Nations of Indians which this House cannot, from the said papers apprehend the least Danger of their Violating or infringeing; Therefore we cannot agree to burden the Inhabitants of this Province with any further Charge relating to the said Indians. Whereas Salt which hath been and still is Very scarce and dear, is much wanting within this province, as well for the common and Necessary uses of the Inhabitants, as also for the curing of Fish taken within the Limits thereof And Likewise on the Sea Coasts contiguous thereto. Therefore the Importation thereof, from all parts of Europe would be not only of service to his Majesties Subjects inhabiting here, but also a great advantage to the Trade of our Mother Country, by encouraging the Exportation of Fish from home, which would enable the people the better to make Remittances to great Britain Resolved therefore, that this House will proceed upon the most reasonable ways to obtain An Act of Parliament to permit the Importation of Salt, from any part [of] Europe in Amity with his Majesty his Heirs and Successors, into this Province. Resolved also, that the Committee of Laws, be a Committee of Ways and Means to that purpose, and that they make report Thereof to this House. On Motion that a bill be brought in to issue Writs of replevin out of the County Courts of this Province, Leave is given, Ordered, that the Committee of Laws prepare and bring in a Bill

accordingly Mr Worthington from the Committee of Accompts, delivers to Mr Speaker an Accompt of Mr Jeremiah Chase against the public which was read and rejected. Mr. N. Goldsborough is added to the Committee of Laws. The Governor communicated to Mr Speaker the following answer. L. H. J. Liber No. 46 May 12

Gentlemen of the Lower House of Assembly.

I Return you Thanks for your obliging Address: and as nothing can give me more pleasure than to have it in my power to be assisting in the Improvement of the Trade of the Province, you may be assured of my hearty Concurrence in whatever may contribute towards so very desireable a Thing.

Sam: Ogle

The House Adjourned untill Two of the Clock in the afternoon.

The House met according to Adjournment &c.

Post Meridiem

Major Sheridine appeared in the House. on Motion to bring in a Bill to perpetuate the Bounds of Land by processioning, Leave given; Ordered, That the Committee of Laws prepare and bring in a Bill accordingly. On motion of a member to bring in a Bill to perpetuate the Bounds of Land by processioning, Leave given ordered, That the Committee of Laws prepare and bring in a bill accordingly.

On Motion of a member to bring in a Bill to restrain the ill Behaviour of Clergymen Leave given to bring in a Bill accordingly. Mr Hammond from the Committee of Laws delivers to Mr Speaker a Bill entituled, an Act to exempt persons appearing at Musters from arrests in Civil Cases. and a Bill entituled, an Act for issuing Writs of Replevin out of the County Courts of this Province, which were Severally read the first Time, and ordered to lie on the Table. Major Sheredine is added to the Committee of Accompts, and to the Committee appointed to inspect the office and proceedings of the Commissioners or Trustees for emitting Bills of Credit established by act of Assembly. The House adjourns untill Tomorrow Morning at 9 O'Clock p. 759

Friday Morning May 13th 1748 May 13

The House met according to adjournment &c. Col° Dashiel brings in and delivers to Mr Speaker a Bill entituled An Act to restrain the ill Behaviour of Clergymen: which was read the first Time, and ordered to lie on the Table. The House adjourns until 2 of the Clock in the afternoon.

L. H. J. Liber No. 46 May 13

Post Meridiem.

The House met according to Adjournment. Benedict Calvert Esq[r] from the Upper House delivers to M[r] Speaker a Petition of the Justices of the peace, High Sheriff, Grand Jury, and others the Inhabitants of the County of Kent, praying that the Laws of this Province may be revised and collected into one or more Volumns, and a good Index &c to be added Indorsed or Referred by the Upper House to the Consideration of the Lower House.

The House adjourns until To Morrow Morning at 9 o'clock

May 14

Saturday Morning May 14. 1748.

The House met according to adjournment &c

M[r] Key and Major Barnes appeared in the House. On reading the second Time the Bill entituled An Act to exempt persons appearing at Musters from Arrests in Civil Cases, the Question was put Whether the said Bill do pass or not? Resolved in the affirmative

For the affirmative

M[r] Bond	M[r] Handy	M[r] Wootton
Mills	R. Henry	Stoddert
J. Gresham	Thomas	Addison
Harris	Lloyd	Gordon
H. Hall	J: Goldsborough	T. Hammond
Carroll	Hooper	Tilghman
P. Hammond	Ennals	Hopper
Worthington	Lecompte	Robins
Brome	Sulivane	J. Henry
Harrison	Hyland	Scarborough
King	Pearce	Purnell
Dashiel	Bayard	

For the Negative

M[r] R. Gresham	M[r] Wilkinson	M[r] Buchannan
Smith	N. Goldsborough	J. Hall

Which Bill was indorsed, read the second Time, and will pass, and was sent to the Upper House by Capt. Tilghman and M[r] Harrison. Major Barns is added to the Committee to inspect the office and proceedings of the Commissioners of the paper Currancy &c. The Bill Entituled An Act for issuing Writs of Replevin out of the County Courts of this Province, was read the second Time, and will pass, and was sent to the Upper House by Col Hooper and M[r] Wilkinson. The following Message (See page 10)

Was sent to the upper House by Col. Henry and M[r] Stoddert. A Petition of Samuel Moore and others praying Leave to bring in A Bill to Confirm a Deed of Bargain and Sale made between Mordecai Moore deceased, of the one part, and William Mitchell, Edward Mitchell and Grace his Wife, of the other part &c. was read, and the same was referred to M[r] N. Goldsborough, M[r] Wootton and M[r] J. Gresham, as a Committee to examine into the Allegation therein contained, and ordered that they make report thereon to the House. Richard Lee Esq[r] from the Upper House delivers to M[r] Speaker The following Message. (See page 11) L. H. J. Liber No. 46 May 14

By the Lower House Assembly May 14. 1748

The following Message: Viz. (See page 11)

Was sent to the uper House by Major Sheredine and Col. Henry M[r] Key is added to Committee of Laws. M[r] Nicholas Goldsborough delivers to M[r] Speaker the following Report, Indorsed on the Back of the Petition of Samuel Moore, Mordecai Moore and others, Viz. p. 760

To the Honourable the Lower House of Assembly

We the subscribers being a Committee appointed by your Honourable House to enquire into the Truth of the Allegation in the within Petitions do find them True.

N. Goldsborough John Gresham Turnor Wootton

The House concurs with the report, and Leave is given to bring in a Bill according to Pray[r]

The House adjourns until Monday Morning, 9 of the Clock.

Monday Morning May 16[th] 1748 May 16

The House met according to adjournment &c. all appeared in the House as on Saturday, except M[r] Philip Hammond M[r] James John Mackall appeared in the House.

The House adjourns until 2 of the Clock

Post Meridiem

The House met according to Adjournment &c. A Bill entituled, an Act to impower and direct the Clerk of Anne Arundel County Court to enter and record among the said County records, a Deed of Bargain and Sale from William Mitchell, Edward Mitchell and Grace his wife, to Mordecai Moore, deceased; was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning, 9 of the Clock

L. H. J. Liber No. 46 May 17

Tuesday Morning May 17th 1748.

The House met according to Adjournment &c. all appeared as yesterday, except Capt. Stoddert, Mr Joshua George appeared in the House; on motion that a Bill be brought in, to make Convict persons Evidence against other persons Convict; to repeal part of an Act directing the paymt of Fees, arising on the prosecution of White Servants Leave is given, ordered, That the Committee of Laws prepare and bring in a Bill accordingly on motion that a supplementary Bill be brought in to the Act entituled an Act relating to Servants and Slaves; Leave is given: ordered That the Committee of Laws do prepare and bring in a Bill accordingly. Mr George is added to the Committee of Laws.

Colo Tasker from the Upper House delivers to Mr Speaker Sundry Petitions, from Charles, Prince George's and Queen Anne's Counties praying to have a Bill brought in, to erect and fix Ware Houses on Different places from those mentioned in the Act for Amendment of the Staple of Tobacco &c Severally Indorsed By the upper House of Assembly, read and referred to Consideration of the Lower House of Assembly

The House adjourns until 2 of the Clock

Post Meridiem

The House met according to Adjournment. On reading the second Time the Bill Entituled An Act to restrain the ill behaviour of Clergymen, it was moved that the said Bill be committed for amendments Thereupon the Question was put Whether the said
p. 761 Bill be Committed for amendments or not resolved in the affirmative and the Bill was committed accordingly.

Col Lloyd from the Upper House delivers to Mr Speaker the Bill entituled an Act to exempt persons appearing at Musters from arrests in Civil Cases, Indorsed By the upper house of Assembly 14th May 1748. Read the first time and ordered to lye on the Table. signed p order J. Ross, Ct up ho. and thus By the upper House of Assembly May 17. 1748 Read the second Time and will pass.

Signed p Order J Ross Ct. Up. Ho.

Which Bill was read here and passed for Ingrossing Philip Thomas Esqr from the upper House delivers to Mr Speaker the following Message (See pages 12-17)

Mr Harris delivers to Mr Speaker the Bill entituled An Act to restrain the Ill Behaviour of Clergymen, with Amendments; which were read, and the Question was put, whether the said Bill shall pass, or not Resolved in the affirmative.

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For the affirmative

Mr Key	Mr Dashiel	Mr Paca
Barnes	Handy	J. Hall
Bond	R. J. Henry	Addison
Mills	Ennals	Gordon
Harris	Lecompte	Dulany
Smith	Sulivane	Hopper
Mackall	Hyland	Robins
Smallwood	Pearce	J. Henry
Harrison	Bayard	Scarborough
King	Sheredine	Purnell

For the Negative

Mr John Gresham	Mr Wilkinson	Mr Hooper
Richd Gresham	N. Goldsborough	Wootton
H. Hall	Thomas	T. Hammond
Carroll	Lloyd	Tilghman
Worthington	J. Goldsborough	

Which Bill was Indorsed read the second Time and will pass. The House adjourns until To morrow Morning at 9 o'Clock.

Wednesday Morning May 18. 1748. May 18

The House met according to adjournment &c.

Mr Philip Hammond appeared in the House. The Bill entituled An Act to restrain the ill Behaviour of Clergymen, was sent to the Upper House by Col. Dashiel and Mr Harris. ordered That no Petition to this House be received after Tuesday next. On motion Leave given to bring in a bill to erect a Town, by the name of Newport; in Worcester County, Ordered, that the Committee of Laws do prepare and bring in a Bill accordingly.

Col Hammond from the upper House delivers to Mr Speaker a petition of several freeholders of Prince Georges County, and a remonstrance made to the Justices of Prince George's County, by several Freeholders &c. Indorsed By the Upper House of Assembly, referred to the Consideration of the Lower House.

Col. Hammond from the Upper House, delivers to Mr Speaker a petition of the Inhabitants of Queen Caroline Parish Anne Arundel County; a petition of the Vestrymen and Church Wardens of All hallows parish in Worcester County; and a petition of diverse parishioners of all Saints parish in Prince Georges County; severally Indorsed,

L. H. J. Liber No. 46 May 18 By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly

Signed p order J Ross Cl. Up. Ho.

The House adjourns untill Two of the clock in the After Noon

Post Meridiem

The House met according to Adjournment &c. The petition of the Inhabitants of upper Cedar Neck point, and Durham parish, praying a Warehouse to be erected at or near Will[m] Dents Landing, in Charles County; was read and rejected. The Petition of The Freeholders of Prince Georges County was read and referred. The petition of the Vestrymen and Churchwardens of Worcester County was read and granted, The petition of the Inhabitants of Queen Caroline Parish was read and granted. The petition of St. Thomas' Parish, in Baltimore County, was read and granted. The petition of sundry Merchants and others on North Potowmack, in Charles County, was read and granted, The petition of the Inhabitants of Charles County, praying that A Warehouse may be erected at Allens Fresh, was read and granted. The petition of the Inhabitants of Prince George's County praying that a Warehouse may be erected at Hannah Brown's Landing on Patuxent River, was read and granted.

The House adjourns untill Tomorrow Morning at 9 o'Clock.

May 19 Thursday Morning May 19. 1748

The House met according to adjournment &c.

Daniel Dulany Esq[r] from the Upper House Delivers to M[r] Speaker sundry petitions from Dorc[h]ester, St. Mary's, Kent, and Anne Arundel Counties, praying to have Warehouses erected on, other places than those mentioned in the Inspecting Law; Severally Indorsed, By the Upper House of Assembly reffered to the Consideration of the Lower House of Assembly. Col. Hooper, from the Committee of Grievances, delivers to M[r] Speaker the following report Viz. By the Committee of Grievances and Courts of Justice. May 19. 1748. Your Committee having the representation hereunto annexed laid before them, by sundry the Inhabitants of Prince George's County Complaining that in November last at the Court of the said County an order of the said Court was made, to levy on the Taxable Inhabitants of the said County the quantity of one hundred thousand pounds of Tobacco, by two assessments for repairs of the Court house of said County, as by the said Order hereunto annexed appears: and that likewise, in pursuance of the said order, or rule of Court the Inhabitants of the said County were taxed fifty one thousand nine hundred and fourty four pounds of

Tobacco, in the present Levy of the same County, as appears by the said paper under the hand of the Clerk of the said County and seal thereof. Thereupon required such of the said Justices as were in Town to Attend your Committee; and acquainting them of the Complaint and representation aforesaid, for answer said That what was done Was by Virtue of an Act of Assembly, and Custom of the province in such Cases; and were very desirous to have the matter heard before your Hoñble House, that the power given to Magistrates of County Courts by the said Law may be ascertained. Your Committee therefore humbly submit the whole matter to the Consideration of your Honourable House. L. H. J. Liber No. 46 May 19

Signed per order W^m^ Wilkins Cl.

The following Representation was annexed to the report Viz. To The Hoñble the Committee of Grievances. The representation of sundry of the Freeholders and Inhabitants of Prince George's County Humbly Sheweth.

That the Justices of Prince George's County Court did, in November Court last, make one order of Court, to levy on the taxable Inhabitants of the said County the sum of 100000 pounds of Tobacco, to be paid at two several Assessments, to repair the Court House of the said County; which Order your petitioners conceive is not warranted by Law, and Apprehend may be of dangerous consequence to the rights and Liberties of your petitioners, and others the Freemen of said County: That in Consequence of said order 51944 pounds of Tobacco has been actually assessed in the levy laid in November Court aforesaid: That your petitioners and others the Inhabitants of the said County, finding themselves Charged with their Several proportions of said Levy, did some time last February give in a Remonstrance to Commissioners appointed by the said Court, to contract with workmen to make the repairs aforesaid; desiring by the said Remonstrance, that the said Commissioners would forbear to agree with any workmen 'till the meeting of the Assembly, to whom your Petitioners purposed to Complain of the order of Court aforesaid; and for sundry other reasons in the said remonstrance mentioned, as in and by the said remonstrance lodged in the Hoñble House, will more fully appear. But some time after this, the said Commissioners did Contract to repair rebuild and enlarge, the said Court House; and that the same has been some Time since actually begun all which Transactions have been carried on, under the Colour of an Act of Assembly of this province entituled an Act to enable the Commissioners of County Courts to levy Tobacco to defray the Charges of their respective Countries; which Law, we humbly conceive, gives no such powers or warrants any such proceedings. p. 763

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John Row	Richard Snowden	George Gordon
Henry Rozer	Henry Darnall Junior	George Hamilton
Bazil Waring	George Scott	David Ross
John Thomas	Christopher Loundes	George Fraser

and the following order of Court; &c.

Prince George's County Anno Domini 1747 } At a County Court of the right Honourable Charles, Absolute Lord and proprietary of the provinces of Maryland and Avalon,

Lord Baron of Baltimore &c. Held at upper Marlborough Town, in and for said County on the fourth Tuesday and twenty-fourth Day of November, in the thirty third year of his Lordships Dominion;

Present

The Worshipful Edward Sprigg Chief Justice.

Richard Keene	John Smith	Henry Trueman
Thomas Marshall	Thomas Prather	John Contee
James Edmonston	John Hawkins Junr	John Cooke
George Parker	Francis Waring	

Gentlemen, Justices by his said Lordships Commission in and for the County aforesaid, lawfully authorized and assigned—Osborn Sprigg sheriff—Thomas Lee, Clerk. The Court taking under their consideration the Insecurity of the County records, from the Court Houses's being very rotten and infirm, Resolve to put the said House in repair; and for that End, to levy on the taxable Inhabitants of this County one hundred thousand pounds of Tobacco, by two assessment; to which resolution Mr James Edmonston dissents and requires the same to be made a matter of record in Testimony whereof I have hereunto set my Hand, and affixed the seal of the County aforesaid, this Sixteenth Day of May Anno Domini 1748.

Thomas Lee, Ct. com. predict

Prince Georges County } ss. { I hereby further certify, That in consequence of the rule of Court aforesaid, the Inhabi-

tants of this County were in the last Levy taxed fifty one thousand nine hundred and forty four pounds of Tobacco for the purpose therein mentioned; and that the Gentlemen Justices who Signed that Levy were Edward Sprigg, Thomas Marshall, John Hawkins, junior, George Parker, Francis Waring John Cooke, and Thoms Prather In Testimony whereof I have hereunto set my hand and affixed the seal of the County aforesaid, this sixteenth Day of May Anno Domini 1748. On reading the report aforesaid resolved, That the House Do take the same, and a Remonstrance and petition of Sundry the Magistrates of Prince George's County preferred this

Day to the House, into consideration in the afternoon. The House Adjourns until 2 of the Clock in the afternoon. L. H. J. Liber No. 46 May 19

Post Meridiem

The House met according to Adjournment. The House resolved itself into a grand Committee of the whole House, to take the report of the Committee of Grievances relating to the Justices of Prince George's County, and the remonstrance and petition of Sundry Magistrates of Prince George's County into consideration Mr Speaker left the Chair, Mr Speaker reassumed the Chair. Mr Smith, from the Grand Committee of the whole House, delivers to Mr Speaker the Report of the said Committee, which was as followeth; Viz. That the House having Resolved itself into a Grand Committee of the whole House, proceeded to take into their Consideration the remonstrances and petition of Sundry the Inhabitants of Prince George's County, and the report from the Committee of Grievances relating to the Justices of Prince George's County making an order of Court for assessing the Quantity of one hundred thousand pounds of Tobacco, on the taxable Inhabitants of the County aforesaid for repairing the Court House of the said County, and for levying the Quantity of fifty one thousand nine hundred and forty four pounds of Tobacco thereof on the Inhabitants of the said County, together with the Sheriff's Salary Accordingly; and That that Committee, after a full Hearing, and on the most mature Consideration, had resolved That the making the forward order, a rule of Court, for assessing the Quantity of one hundred thousand pounds of Tobacco upon the taxable Inhabitants of Prince George's County aforesaid, and that the levying the Quantity of fifty one thousand nine hundred and forty four pounds of Tobacco, and the Sheriff's Salary for repairing the Court House aforesaid is illegal and oppressive, and not warranted by the Act of Assembly entituled An Act impowering the Commissioners of the County Courts to levy and raise Tobacco for defraying the necessary Charges of their Counties and parishes, or by any other law whatsoever. on Consideration of the report from the grand Committee of the whole House, the Question was put, that the House concur therewith resolved accordingly. The House adjourns untill To morrow Morning at 9 o'Clock p. 764

Friday Morning, May 20th 1748 May 20

The House met according to adjournment.

On Motion Leave is given to Bring in a Bill to regulate Attachments; ordered, that the Committee of Laws prepare and bring in a Bill Accordingly. on Motion, Leave is given to bring in a supplementary Bill to the Act, impowering the Commissioners of the County Courts to levy and raise Tobacco for defraying the necessary

L. H. J. Liber No. 46 May 20

Charges of their Counties and parishes, ordered that the Committee of Laws prepare and bring in a Bill accordingly. On Motion of a member that Leave may be given to erect a warehouse on the Land of Mr William Dent in Charles County, at the Expence of the Parishioners of Durham parish; Leave is given: ordered that it be inserted in a Bill to be prepared by the Committee of Laws for erecting and altering Ware houses. Mr Hammond from the Committee of Laws delivers to Mr Speaker A Bill Entituled, An Act for processioning Lands in order to perpetuate the Bounds thereof And for other purposes therein mentioned; which was read the first time, and ordered to lie on the Table.

Benedict Calvert Esqr from the Upper House, delivers to Mr Speaker a petition of the Rector, vestrymen, Church-wardens and other Inhabitants of the upper Hundred of Shrewsbury parish, in Kent County; and the petition of the Freeholders and other Inhabitants on the Bay side, in Calvert County &c. Severally Indorsed,

By the upper House of Assembly referred to the Consideration of the Lower House of Assembly, which petitions were severally read here, and granted. On motion that a Warehouse may be erected on Mr Llewellin's plantation on Wiccocomoco River, in St Mary's County, Leave is given ordered that the same be inserted in a Bill to be prepared by the Committee of Laws for erecting and altering warehouses. Richard Lee Esqr from the upper House delivers to Mr Speaker the petition of Sundry Inhabitants of All-hallows parish in Anne Arundel County; and the petition of the Inhabitants living at or near the Head of South River; Severally Indorsed By the Upper House of Assembly, referred to the Considerations of the Lower House of Assembly, Col. Tasker from the Upper House delivers to Mr Speaker the following Message, Viz. (see page 19)

The petition of the Inhabitants of Kent County Praying a Warehouse to be erected on Worton Creek, was read and granted. The House adjourned until Two of the Clock in the afternoon

Post Meridiem.

The House met according to adjournment &c. on motion Resolved, that the Warehouse to be erected at Morgan's Creek, in Kent County, by the Act Entituled An Act for the Amendment of
p. 765 the Staple of Tobacco &c. be suppressed. The petition of The Inhabitants living at or near the head of South River, praying to alter the Warehouse, mentioned in the Inspecting Law to be erected at Macklefishe's Landing, was read and rejected.

On Motion Resolved, That the Warehouse at Barren Creek, in Somerset County, be removed to the Landing formerly John Gillis' Landing, and instead of Day Scott's Warehouse, that a Warehouse be built near the Church at Greenhill Town, in Somerset County.

The Bill Entituled An Act to impower and direct the Clerk of Anne Arundel County Court, to enter and record among the said County records, A Deed of Bargain and Sale from William Mitchell, Edward Mitchell and Grace his wife to Mordecai Moore, deceased, was read the second time, and will pass, and was sent to the Upper House by Col. Dashiel and M[r] Wilkinson. The House adjourns until Tomorrow Morning at 9 o'Clock. L. H. J. Liber No. 46 May 20

Saturday Morning May 21. 1748 May 21

The House met according to adjournment, ordered, That the Committee of Accompts receive no Accompts for public Claims, after Tuesday next. The House adjourns until Monday Morning 9 of the Clock

Monday Morning May 23[d] 1748. May 23

The House met according to adjournment, &c. All appeared as on Saturday, except Mess[rs] John and Richard Gresham, Capt. Tilghman, and Capt. Paca

M[r] Stoddert appeared in the House. The House adjourns until 2 of the Clock

Post Meridiem.

The House met according to adjournment.

M[r] Harris, from the Committee of Laws delivers to M[r] Speaker a Bill entituled an Act empowering the Justices of Kent County, to assess and levy on the taxable Inhabitants of Shrewsbury Parish, in the said County A sum not exceeding 8000 ℔ of Tobacco, for the uses therein mentioned; which was read the first Time and ordered to lie on the Table.

Col[o] Hammond from the Upper House delivers to M[r] Speaker a Petition of the Present Commissioners for Charles Town in Cecil County &c[a]

A Petition of sundry Inhabitants of the County of Chester and Lancaster in the Province of Pennsilvania, and a Petition of sundry Inhabitants of S[t] Mary Ann Parish and others in Cecil County; Severally Indorsed, By the Upper house of Assembly read and Referred to the Consideration of the Lower house of Assembly.

Col[o] Tasker from the Upper House delivers to M[r] Speaker a Petition of the Vestrymen, Church wardens and other Inhabitants of King & Queen parish in St Mary's County and a petition of that part of Coventry parish in the Country of Worcester, that is Contiguous to Snow Hill Town Severally Indorsed. By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly.

L. H. J. Liber No. 46 May 23

The petition of King and Queen parish in St. Mary's County, was here read and granted. On Motion to bring in a Bill, to apply part of the fines and Forfeitures to provide Arms and Ammunition for Defence of this Province; Leave is given: Ordered, That the Committee of Laws prepare and bring in a Bill Accordingly. The Petition of the Present Commissioners of Charles Town was read and granted. The House adjourns until To-morrow Morning 9 of the Clock

May 24

Tuesday Morning May 24. 1748.

The House met according to adjournment. Messieurs John and Richard Gresham, and Capt. Tilghman, appeared. Ordered. That the Petition of the sundry Inhabitants of S^{t} Mary Anne Parish, and others in Cecil County be heard at the Bar of this House by Council on Thursday next The Bill entituled, An Act empowering the Justices of Kent County &c was read the second time and will pass, and was sent to the upper House by. M^{r} Harris and M^{r} Mills. M^{r} Hammond from the Committee of Laws, delivers to M^{r} Speaker the following report Viz.

By the Committee of Laws, May 24th 1748

In Pursuance of an order of the Hoñble House, dated May 12th 1748 appointing this a Committee of Ways and Means, in relation to obtaining Liberty for Importation of Salt into this Province, from any parts of Europe in Amity with his Majesty, his Heirs, and Successors; Your Committee humbly represent, That the Charter from King Charles the First to Cecilius Calvert, Baron of Baltimore in 1634, there is a saving Clause in the following words:

p. 766 Saving always unto us our Heirs and successors, and to all the subjects of our Kingdom of England and Ireland, of us our Heirs and successors, free Liberty of Fishing for Sea Fish, as well in the Sea, Bays, Inlets and navigable rivers, as in the Harbours, Bays and Creeks of the province aforesaid, and the privileges of salting and Drying their Fish on the shore of the said Province, and for the same Cause, to cut and take under wood or twigs there growing, and to build Cottages and sheads necessary in this behalf as they heretofore have or might reasonably have used, which Libertys and Privileges nevertheless the Subjects aforesaid of us, our Heirs and successors shall enjoy without any notable Damage or Injury to be done to the said now Lord Baltimore his Heirs or assigns, or to the Dwellers and Inhabitants of the said Province, in the Ports, Creeks and Shores aforesaid; and Especially in the woods and Copses growing within the said Province and if any shall do any such Damage or Injury, he shall incur the heavy Displeasure of us our Heirs and successors, Punishment of the Laws; and shall moreover make satisfaction. Y^{r} Committee humbly observe That by the foregoing

proviso in the Royal Charter the situation of this Province on the Western Ocean, and which with the Bays, Inlets, and Arms of the Sea, afford Cod, Ling, shad, Herring and a great Variety of other suitable Fish fit for salting and curing for Merchandize and Exportation; renders it properly a Fishing Colony; which great advantage is lost to his Majestie's liege Subjects, for want of Salt in greater plenty, and Cheaper, to encourage that Branch of Trade, exclusive of the great Need which the people have for that Commodity, not only for their own common use, but also that those who live remote from the Navigable or Salt Water, are indispensibly Obliged to give their Cattle Salt, which consumes great Quantities thereof Y^r^ Committee humbly conceive, that in order to apply to the Parliament of Great Britain, for an Act to admit the Importation of Salt from any part of Europe in Amity with his Majesty, his Heirs and successors, into this province, it will be needful to lodge a sum of Money, in the Hands of a creditable Merch^t^ in London, not exceeding Five hundred pounds Sterling: and that the Means of raising part of the same be by a Duty of upon all Tobacco's exported out of this province after the Day of next, or the End of this Session of Assembly; which Merchant to account with the General Assembly of this province for such Money: That a proper person or persons be appointed as an Agent or Agents at London to employ Council to draw such Act, or to take such other Means as May be most Suitable, by Solicitation or otherwise, as Occasion may require: and that such Merchant have order to pay the Council, Agent, or other persons concerned. that the sum of now in the Hands of M^r^ William Hunt Merchant in London be appropriated to the purpose aforesaid. That your Honourable House will, when the said is solliciting, or at a proper Time Apply to his Excellency the Governor, for his Countenance and Interest therein, and to the upper House of Assembly, to join in an Address to his Lordship the Lord proprietary of this province to request that he will use his Interest and Influence for obtaining the same. That in case it shall be adviseable, your Honourable House will jointly with the upper House of Assembly at a proper Time petition the Parliament of Great Britain, for the Act aforesaid your Committee humbly Conceive it may be proper for your Honourable House jointly with the Upper House, to appoint one or more person or persons here to communicate with the Merchant and Agent, or Agents that may be appointed According to the Instructions, he or they should receive from Either, or both Houses from time to time in Relation to the said Act all which is humbly submitted to the Consideration of your Honourable House.

L. H. J. Liber No. 46 May 24

Signed per Order V: Denton, Clerk

Samuel Chamberlaine Esq^r^ from the uper House delivers to M^r^ Speaker a petition of several County Clerks on behalf of them-

L. H. J. Liber No. 46 May 24 p. 767

selves and others; a petition of diverse the Inhabitants of Bohemia and Elk River, in Cecil County and a petition of sundry Freeholders in Charles County and Prince George's County, Indorsed By the upper House of Assembly, referred to the Consideration of the Lower House. Richard Lee Esq^{r} from the upper House, delivers to M^{r} Speaker a petition of sundry Freeholders of Prince Georges County, relating to a Division of said County; a petition of sundry back Inhabitants of Prince Georges County, relating to a Division of Prince George's County; A petition of Sundry Freeholders in the lower part of Prince Georges County; A petition of the Freeholders and principal Inhabitants of a Neck of Land between Potomack River and Mattawoman Creek and Main Run Severally Indorsed. By the upper House, referred to the Consideration of the Lower House of Assembly, on motion That a supplementary Bill to the Act for laying out the Town anew, commonly called Upper Marlborough Town, in Prince Georges County be brought in; Leave is given Ordered That the Committee of Laws prepare and bring in a Bill Accordingly. An Ingrossed Bill entituled, An Act to exempt persons attending at Musters from Arrests in Civil Cases, was read and assented to, and sent to the upper House with the paper Bill, by M^{r} John Gresham and M^{r} Brome. The House adjourns until 2 of the Clock.

Post Meridiem

The House met according to Adjournment &c. Capt. Paca appeared in the House. The petition of part of Coventry Parish, in Somerset County, was read and referred to the Consideration of the next Assembly, and ordered That the Vestry of Coventry parish and all others concerned have due Notice.

Col^{o} Hammond, from the Upper House delivers to M^{r} Speaker a petition of Daniel Cheston, Indorsed. By the Upper House of Assembly, read and referred to the consideration of the Lower House, which petition was here read and rejected on motion that the Freeholders and other Inhabitants about Sassafras and Bohemia, and others in Cecil County have Leave to make Remonstrance to this House by petition, or otherwise the State of their Case relating to the Court House in Cecil County; and that the same be received, altho' it should so happen that it be not preferred within the time prefixed by this House for receiving petitions. Daniel Dulany Esq^{r} from the upper House, delivers to M^{r} Speaker a petition of diverse Inhabitants of S^{t} Pauls parish in Queen Anne's County; A petition of the Rect^{r} Vestrymen Church wardens and Parishoners, of Christ Church parish on Kent Island; and a Petition of the Rector, Vestrymen and others of Christ Church parish, on Kent Island &c Severally Indorsed, By the Upper House of Assembly, referred to the consideration of the Lower House of Assembly

D^r Carroll, from the Committee of Laws, delivers to M^r Speaker A Bill entituled An Act for making Convict persons Evidence against other persons convict; and for repealing part of An Act entituled An Act directing the Payment of Fees arising due on the prosecution of white Servants, which shall hereafter be imported into this province: which was read the first Time and Ordered to lie on the Table. A petition of Thomas Brooke A Languishing Prisoner in Prince George's County Goal was read and granted. L. H. J. Liber No. 46 May 24

The House Adjourns until Tomorrow Morning at 9 o'Clock.

Wednesday Morning May 25. 1748. May 25

The House met according to adjournment. On motion That A Bill be brought in to oblige Masters of Ships, or other Vessels, lading Tobacco on board for great Britain at the Time they set up Notes to publish their Freight that they likewise publish whether their owners have made Insurance of the Tobacco to be taken on board, in order to be carried to Great Britain; Leave is given: Ordered That the Committee of Laws prepare and bring in a Bill Accordingly.

M^r Key from the Committee of Laws delivers to M^r Speaker a Bill entituled An Act for Ascertaining the Bounds of King and Queen parish in St. Mary's County, and for making the same and All Faith's compleat parishes on the death of the Reverend M^r John Urquhart, present Incumbent of All Faith's parish lying in St. Mary's and Charles Counties; which was read the first Time, and ordered to lie on the Table.

George Plater Esq^r from the Upper House, delivers to M^r Speaker a petition of Stephen Lewis, Indorsed, by the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly. On reading the petition aforesaid, Col King, M^r Harrison, and M^r Bond, are appointed a Committee to examine the Facts and Allegations relating to the aforesaid petition, and report the same to the House. On motion to bring in A Bill to assess on the parishoners of Christ Church parish on Kent Island 37100 lb of Tobacco, to repair the parish Church; Leave is given: ordered, That the Committee of Laws prepare and bring a Bill accordingly.

Ordered, That the Vestry of prince George's Parish be impowered by the Act to nominate two Inspectors for the Warehouse at Bladensburgh p. 768

The House adjourns until 2 of the Clock in the afternoon.

Post Meridiem

The House met according to adjournment.

Richard Lee Esq^r from the upper House delivers to M^r Speaker a Petition of the Freeholders and Inhabitants of Prince Georges

L. H. J. Liber No. 46 May 25

County relating to a Court House &c Indorsed. By the upper House of Assembly, referred to the Consideration of the Lower House of Assembly.

Benedict Calvert, Esq[r] from the Upper House, delivers to M[r] Speaker the following Message; (See page 23)

On reading the Bill entituled An Act for processioning Lands &c. the Question was put, Whether Six or Twelve Months be given to two or more persons legally entitled to the Lands contiguous in Their own Right, or in the Right of Any Infant, to have the preemption and Liberty of taking Vacancy, in proportion to the Number of Acres contained in the contiguous Tracts, in which they are so interested as aforesaid.

The House being divided on the Question, the same was determined by Vote of the Honourable Speaker, That Six Months Time be given.

For Six Months

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M[r] Key	M[r] Harrison	M[r] Pearce
Barnes	King	Buchanan
Mills	Dashiel	Paca
J. Gresham	Handy	Gordon
R. Gresham	R. Henry	Dulany
Harris	Lloyd	Tilghman
P. Hammond	Hooper	J. Henry
Worthington	George	Scarborough

For Twelve Months

M[r] Bond	M[r] Thomas	M[r] Wootton
Carroll	J. Goldsborough	Stoddert
Smith	Ennalls	Addison
Brome	Sulivane	T. Hammond
Mackall	Hyland	Hopper
Smallwood	Bayard	Robins
Wilkinson	Sheredine	Purnell
N. Goldsborough	J. Hall	

The Question was put, Whether the Bill entituled, An Act for processioning of Land, &c. be committed for Amendment or not, resolved in the Affirmative.

M[r] Mackall hath Leave to go home.

The House adjourns until Tomorrow Morning at 9 a Clock.

May 26

Thursday Morning May 26th 1748.

The House met according to Adjournment &c.

All appeared as yesterday except M[r] Mackall.

Capt. Ennalls hath Leave of the House to go home.

On motion that the House take into Consideration the Petition of the Freeholders of Prince Georges County, relating to the Division of the said County; the Question was, whether the Consideration of the Petition of the Freeholders and Inhabitants of Prince Georges County relating immediately to the Division of the said County, be referred, or not, Resolved, That it be not referred. Resolved, That the House do take into their Consideration next Wednesday Morning, the petition of the Freeholders and Inhabitants of Prince George's County, relating to their Complaint against several Justices of the said County. Ordered, That the Clerk of this House do issue summons for Mr John Cooke Mr Francis Waring Col. Thomas Lee, Mr Thomas Clarke, Mr Daniel Page, Mr Thomas Gaunt junior, and Mr William Luckett, to attend at the Bar of this House on Wednesday next, to testify as Evidences, relating to the Complaint of the Freeholders of Prince George's County, against Several Justices of the said County. On reading and considering the Petition of sundry Inhabitants of St Mary Anne's Parish, in Cecil County, praying leave to bring in a Bill for building a new Court House at Charles Town; and the Petition of the Freeholders of Cecil County, on Sassafras, Bohemia, and others, praying that the Court-House may remain where it now stands; the Question was put whether the Court House of Cecil County shall be removed to Charles Town in the said County or remain in the place where it now stands. L. H. J. Liber No. 46 May 26

Resolved That it remain in the Place where it now stands.

For the Court-House to be moved to Charles Town

Mr Key	Mr Lloyd	Mr Addison
Harris	Hyland	Gordon
H. Hall	Sheredine	Dulany
P. Hammond	Buchanan	Hopper
Dashiel	Paca	Scarborough
Thomas	J. Hall	Purnell

For the Court-House to remain at the Place where it now stands

Mr Barnes	Mr Harrison	Mr Sulivane
Bond	Wilkinson	George
Mills	King	Pearce
J. Gresham	Handy	Bayard
R. Gresham	R. Henry	Wootton
Carroll	N. Goldsborough	Stoddert
Worthington	J. Goldsborough	T. Hammond
Smith	Hooper	Tilghman
Brome	Ennals	Robins
Smallwood	Lecompte	J. Henry

L. H. J. Liber No. 46 May 26 p. 770

The Petition of the Several County Clerks, praying Leave to bring in a Bill to enable them to remove the last Recording Book for Judgments, and the papers of the four last Courts, to their own Houses was read; and the Question was put, whether Leave be given to the Petitioners to bring in a Bill as prayed or not. Resolved in the Affirmative.

For the Affirmative

Mr Key	Mr R. J. Henry	Mr Wootton
Barnes	Thomas	Stoddert
Bond	Lloyd	Gordon
Mills	J. Goldsborough	Dulany
J. Gresham	Hooper	T. Hammond
R. Gresham	Lecompte	Tilghman
Harris	Sulivane	Hopper
Harrison	George	Robins
King	Pearce	J. Henry
Dashiel	Bayard	Scarborough
Handy	J. Hall	

For the Negative

Mr H. Hall	Mr Smallwood	Mr Buchanan
Carroll	Wilkinson	Addison
Worthington	N. Goldsborough	Purnell
Smith	Hyland	
Brome	Sheridine	

On reading the several Petitions for dividing Prince George's County, the Question was put Whether Prince George's County shall be divided at the Eastern Branch of Potomack river or at Seneca? Resolved, That it be divided at the Eastern Branch of Patowmack River.

For the Division at the Eastern Branch

Mr Bond	Mr Dashiel	Mr Paca
Mills	Handy	J. Hall
J. Gresham	N. Goldsborough	Wootton
H. Hall	Thomas	Stoddert
Carroll	Hooper	Gordon
Worthington	Sulivane	T. Hammond
Smith	George	Tilghman
Brome	Pearce	Robins
Smallwood	Bayard	J. Henry
Harrison	Sheredine	Scarborough
King	Buchanan	Purnell

For the Division at Seneca

L. H. J. Liber No. 46 May 26

Mr Key	Mr Wilkinson	Mr Hyland
Barnes	R. J. Henry	Addison
R. Gresham	Lloyd	Dulany
Harris	J. Goldsborough	Hopper

The Petition of sundry Freeholders in the lower part of Prince George's County, Praying to have a Bill brought in, to unite them to Charles County, was read and Granted ordered, That the Committee of Laws prepare and bring in a Bill Accordingly.

The House adjourns until To-morrow Morning at 9 a'Clock

Friday Morning May 27. 1748. May 27

The House met according to Adjournment. The Petition of diverse Inhabitants of St. Paul's Parish in Queen Annes County, praying Leave to bring in a Bill to have the Parish divided, was read and granted. Mr Wootton delivers to Mr Speaker a Bill entituled, An Act to divide Prince Georges County, and to erect a new one, by the Name of [Frederick] County; which was read the first time and ordered to lie on the Table. The Bill entituled An Act for ascertaining the Bounds of King and Queen Parish &c. was read the second time, and will pass; and was sent to the upper House by Mr Mills and Capt. Bayard Col. Tasker, from the upper House delivers to Mr Speaker a Petition of the Inhabitants of St. Margaret Westminster Parish and a Petition of the Inhabitants of St. Anne's Parish in Anne Arundel County Indorsed. By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly. p. 771

The House adjourned until Two of the Clock in the afternoon.

Post Meridiem.

The House met according to adjournment &c.

The Petitions of the Inhabitants of St. Margaret Westminster parish, and the Petition of the Inhabitants of St. Anne's Parish in Anne Arundel County relating to the fixing a Warehouse at the City of Annapolis, were Severally read and rejected. Col. Henry delivers to Mr Speaker a Bill entituled An Act impowering the Justices of Worcester County to levy on the taxable Inhabitants of All Hallows Parish in the said County, a sum not exceeding 80000 ℔ of Tobacco, for the uses therein mentioned; which was read the first time, and ordered to lie on the Table.

Col Hammond, from the Upper House delivers to Mr Speaker the Bill entituled an Act for issuing Writs of Replevin out of the

L. H. J. Liber No. 46 May 27 County Courts of this Province, Indorsed by the Upper House of Assembly, May 27th 1748: read the second Time and will not pass.

Signed per order. J. Ross Cl. Up. Ho.

On Motion of A Member, That an Enquiry be made, whether the people of this province are not of right intitled to have Writs of Replevin issue out of the respective County Courts of this Province. Ordered, That the Committee of Laws be a Committee especially appointed to make such Enquiry, and report the same to the House.

Samuel Chamberlaine, Esqr from the Upper House, delivers to Mr Speaker the Bill entituled An Act empowering the Justices of Kent County, to assess and levy on the taxable Inhabitants of Shrewsbury Parish &c. Indorsed By the Upper House of Assembly May 27 1748 read the second Time, and will pass.

Signed per Order J. Ross Cl. Up. Ho.

Which Bill was here read and passed for Ingrossing. George Plater Esqr; from the Upper House delivers to Mr Speaker the Bill entituled An Act to empower and direct the Clerk of Anne Arundel County Court to enter and record among the records of the said County, a Deed of Bargain and Sale from William Mitchell &c. Indorsed; By the Upper House of Assembly May 27. 1748, read the second Time, and will pass.

Signed per order J. Ross Cl. Up. Ho.

which Bill was here read and passed for Ingrossing. An Account of Thomas Cresap against the public, for sundries furnished the Indians; which was referred from the upper House to this House, was here read and rejected.

The House Adjourns until Tomorrow Morning, 9 of the Clock.

May 28 Saturday Morning May 28. 1748.

The House met according to Adjournment. all the Members appeared as Yesterday, except Capt. Ennals Capt. Addison, and Mr Philip Hammond.

The Bill entituled, An Act empowering the Justices of Worcester County, to levy on the taxable Inhabitants of Allhallows Parish &c was read the second Time and will pass; and was sent to the Uper House by Colo Henry and Mr Robins. A Bill entituled An Act empowering the Justices of Queen Anne's County, to levy on the taxable Inhabitants of Christ Church Parish &c. was read the first and second Time by an especial order and will pass; and was sent to the Uper House by Mr Tilghman and Mr Bond A Bill entituled An Act for uniting part of Prince George's County to Charles County, was read the first Time and ordered to lie on the Table. Colo King delivers to Mr Speaker the following Report Viz.—By

p. 772

the Committee appointed by the Honourable the Lower House of Assembly, to enquire into the Facts contained in a petition of Stephen Lewis of the Colony of Virginia May 28th 1748. L. H. J. Liber No. 46 May 28

N° 1 Your committee find in the Land office Liber D D Fol 124 A Warrant to John Bradford of Prince George's County, by renewment dated April 18. 1728 for 500 Acres applied to the Land called Strife. 2. As to Paragraph N° 2 we find the facts set forth are true. 3. Your Committee further find a Deed of Mortgage from Jn° Bradford to Charles Carroll Esq^r^ wherein among other Lands, is contained the aforesaid Tract called Strife; which Deed was on the 29th July 1732, duly executed And acknowledged, and the same enrolled, but without Date to such Enrollment, which we find in the Land record Book, Liber P L. N° 8. Fol. 124 in the Provincial office; and that the next Subsequent Deed in said Book was enrolled February 3. 1732. and appears to be Six Months and five Days after the acknowledgement of the Deed for the Land called Strife.

4. As to the fourth Paragraph, we find the Facts therein set forth to be true.

5 Your Committee also find a Grant to John Bradford, for 500 acres of Land called Strife, dated June 14. 1734; in which the Recital of the Warrant bears Date April 18. 1720 being eight years preceeding the Date on Record. 6, 7, 8. 9 We find the Facts set forth in the 6th 7th 8th and 9th Paragraphs of the aforesaid petition are true.

As to the 10th Paragraph, it appears to your Committee, that the several sums of Consideration Money have been regularly, and bona fide paid and Satisfied, and we apprehend the aforesaid John Bradford is now and has been for some Time past absent, from this Province all which is most humbly Submitted to the Consideration of y^r^ Honourable House.

Signed per order Will^m^ Wilkins, Clerk.

On reading the report aforesaid the House concurs therewith, and gave Leave to the Petitioner to bring in A Bill According to Prayer.

An Ingrossed Bill entituled, an Act empowering the Justices of Kent County to assess and leavy on the taxable Inhabitants of Shrewsbury Parish &c the sum of 8000 lb of Tobacco, was read and assented to, and sent to the Upper House with the paper Bill, by M^r^ Harris and M^r^ Harrison. On motion to bring in a Bill, to enable the Justices of Prince George's County to secure three Acres of Land Lying in King George's Parish in said County, whereon a Brick Chapel of Ease is Already built, for the use of the parishioners; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. The House adjourns until Monday Morning 9 of the Clock.

L. H. J. Liber No. 46 May 30

Monday Morning, May 30. 1748.

The House met according to adjournment &c. All Members appeared as on Saturday except Col. John Hall Mr John Gresham, Mr John Goldsborough, and Mr Lecompte

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to adjournment. Mr William Middleton, A member returned to serve in this present General Assembly for Charles County, appeared in the House.

Mr Smallwood and Mr Wilkinson were sent to the Upper House to see him qualified: They return and acquaint Mr Speaker they saw him take the several Oaths to the Government required by Law, repeat the Test, and subscribe the Oath of Abjuration and Test. The Gentleman took his Seat in the House.

Mr Harris from the Committee of Laws delivers to Mr Speaker a Bill entituled An Act to remedy some Defects in an Indenture of
p. 773 Bargain and Sale made and executed by Charles Carroll of Annapolis surgeon, and John Bradford, of Prince George's County Gentleman of the one part, and Daniel Carroll of Marlborough in prince Georges County Merchant, of the other Part; which Bill was read the first Time and second Time, by an especial Order, and will Pass, and was sent to the upper House by Col. Henry and Mr Middleton Mr Lloyd delivers to Mr Speaker a Bill entituled an Act to enable the several and respective County Clerks within this Province, to remove some of the County records and papers from the public offices; which was read the first Time, and ordered to lie on the Table.

On motion that a Bill be brought in to prohibit raising Swine in Leonard Town in St. Mary's County; Leave is given; Ordered That the Committee of Laws prepare and bring in a Bill accordingly. Col. Hooper from the Committee of Laws, delivers to Mr Speaker a Bill entituled an Act for Relief and Release of poor prisoners of Debt; which Bill was read the first Time, and ordered to lie on the Table. On motion that an Inspecting House be erected in the City of Annapolis under a separate Inspection and that it be inserted in the Bill for altering and erecting Inspecting Houses; Leave is Given.

On motion that Hopper's and Brown's Warehouses, in Queen Ann's County now under one Inspection, be under Different Inspections and the Sallaries at 50£ each; that the Warehouse at the Church Landing be removed to Richard Porter his Land and the Warehouse at Hopper's to be at the Millstone Landing, and to be Inserted in the Bill preparing for such purposes; Leave is given.

The House adjourns untill Tomorrow Morning at 9 o'Clock.

Tuesday Morning May 31, 1748. L. H. J. Liber No. 46 May 31

The House met according to adjournment &c.

Mr Philip Hammond appeared in the House. on reading a second Time the Bill entituled, An Act to divide Prince George's County &c. the Question was put, Whether the Court House shall be built at Frederick Town or near the Land of Thomas Lemar Resolved That it be built at Frederick Town

For the Court House to be built at Frederick Town.

Mr Key	Mr R. Henry	Mr Buchanan
Barnes	N. Goldsborough	Gordon
R. Grasham	Thomas	Dulany
Harris	Lloyd	T. Hammond
Carroll	Hooper	Hopper
Harrison	Sulivane	Tilghman
King	George	Robins
Dashiel	Hyland	J. Henry
Handy	Sheredine	Purnell

For the Court House to be built on the Land of Thomas Lemar;

Mr Bond	Mr Smith	Mr Pearce
Mills	Brome	Bayard
H. Hall	Smallwood	Paca
P. Hammond	Wilkinson	Wootton
Worthington	Middleton	Stoddert

The Bill entituled an Act to divide Prince George's County and to erect a new one by the name of Frederick County, being read the second Time; the Question was put, Whether the said Bill shall pass, or not? Resolved, in the affirmative The said Bill was so Indorsed, and was sent to the Upper House by Mr Stoddert and Major Hall.

Benedict Calvert Esqr from the upper House delivers Mr Speaker two Petitions of many Freeholders and other Inhabitants of Calvert County severally Indorsed, By the Upper House of Assembly, read and referred to the Consideration of the Lower House of Assembly.

The House adjourns until 2 of the Clock

Post Meridiem.

The House met according to adjournment &c. Capt Addison appeared in the House.

The Petition of many Freeholders and other Inhabitants of Calvert County praying to have a Warehouse erected at Hunting Town, was read and rejected. p. 774

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The Petition of many Freeholders and other Inhabitants of Calvert County praying Leave to have A Bill brought in to have a Court House built at Hunting Town, was read and rejected. On motion that a Bill be brought in to erect a new Court House at Frederick Town in Calvert County, at the Place where the old Court House lately burnt down, stood; Leave is given. ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. The Bill entituled an Act for processioning of Land &c[a] was read the second Time and the Question was put, That the Bill do pass. Resolved in the affirmative.

For the Affirmative.

M[r] Key	M[r] Handy	M[r] Paca
Barnes	R: Henry	Wootton
Bond	Thomas	Stoddert
Mills	Lloyd	Gordon
R. Gresham	George	Dulany
Harris	Hyland	Tilghman
Harrison	Pearce	Hopper
King	Bayard	Robins
Dashiel	Buchanan	J. Henry

For the Negative

M[r] Henry Hall	M[r] Smallwood	M[r] Sheredine
P. Hammond	N. Goldsborough	Addison
Carroll	Hooper	T. Hammond
Worthington	Wilkinson	Purnell
Smith	Middleton	
Brome	Sulivane	

The Bill was Indorsed, Will pass, and was sent to the upper House by Col. Dashiel and M[r] Dulany. On reading the second Time the Bill entituled An Act to enable the several and respective County Clerks &c. the Question was put, Whether the said Bill shall pass, or not? resolved in the affirmative.

For the Affirmative

M[r] Key	M[r] Handy	M[r] T. Hammond
Barnes	R. Henry	Tilghman
Bond	Thomas	Hopper
Mills	Lloyd	Gordon
R. Gresham	Hooper	Robins
Harris	George	J. Henry
Harrison	Pearce	Purnell
King	Bayard	
Dashiel	Wootton	

L. H. J.
Liber No. 46
May 31

For the Negative

Mr H. Hall	Mr Smallwood	Mr Sheredine
P. Hammond	Wilkinson	Buchanan
Carroll Worthington	Middleton	Paca
	N. Goldsborough	Stoddert
Smith	Sulivane	Addison
Brome	Hyland	

The Bill was accordingly Indorsed, " read the second Time, and will pass "

The House Adjourns until Tomorrow Morning at 9 o'Clock.

Wednesday Morning June 1. 1748.

June 1
p. 775

The House met according to adjournment & A Bill entituled An Act granting a further Time for surveying and laying out anew a Town in Worcester County called New port Town, and confirming the Privileges granted by the former Act of the said Town, A Bill entituled An Act to prohibit the raising of swine in Leonard's Town in St. Mary's County, and a Bill entituled An Act relating to that Part of King and Queen Parish, which lies in Charles County and was lately severed by the Death of the Reverend Mr John Donaldson: were severally read the first and second Time by an especial order, and will pass: which several Bills were sent to the upper House with the Bill entituled An Act to enable the several and respective County Clerks &c by Mr Key and Mr Tilghman. The petition of the Freeholders and Inhabitants of Prince George's County, complaining against several Justices of the said County, was this Day heard, and Witnesses were examined on oath at the Bar of this House, relating thereto; and whereas in the said Petition it is suggested, that a Magistrate or some Magistrates, of that County had threatened the people there, with the Penalties contained in the Act concerning Riots, made in the first year of the Late King, and upon Examination into the Truth of the said Allegation, it doth not appear that the Magistrate complained of in the said Petition, notwithstanding any Declaration he made Concerning it, did attempt to injure the Liberties of the People by such Declaration. It is however unanimously resolved by this House, that the said Act of Parliament is not in Force in this Province; and that if at any future Time Any Magistrate or other officer should or may threaten the People with the penalties thereof he will and ought to be deemed a Violator of, and an Enemy to, the Liberties of this free people.

The House adjourns until 2 of the Clock in the afternoon.

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Post Meridiem.

The House met according to Adjournment.

Mr Mackall and Mr Lecompte appeared in the House.

Richard Lee Esqr, from the Upper House delivers to Mr Speaker a petition of sundry Inhabitants of Prince George's County and Charles County. relating to the building a Ware House at Piscataway, at the Petitioners Expence, Indorsed; By the Upper House of Assembly referred to the Consideration of the Lower House of Assembly. Which Petition was read here and Rejected Capt. Tilghman delivers to Mr Speaker a Bill entituled, An Act for dividing St Paul's Parish in Queen Anne's and Talbot Counties and for erecting a new parish thereout, by the Name of St Johns parish; which was read the first Time and ordered to lie on the Table. on reading a Second Time the Bill entituled, An Act for making Convict Persons Evidence against other persons Convict, the Question was put, whether the Clause relating to Convicts being made Evidence one against the other, should stand or not? Resolved in the affirmative.

For the Affirmative.

Mr Mills	Mr Smallwood	Mr Buchanan
R. Gresham	Thomas	Paca
Harris	Lloyd	Stoddert
H. Hall	Sulivane	Gordon
Carroll	George	Dulany
P. Hammond	Hyland	Tilghman
Worthington	Bayard	Hopper
Mackall	Sheredine	

For the Negative

Mr Key	Mr King	Mr Pearce
Bond	Dashiel	Wootton
Smith	Handy	Addison
Brome	R. J. Henry	T. Hammond
Harrison	N. Goldsborough	Robins
Wilkinson	Hooper	J. Henry
Middleton	Lecompte	Purnell

p. 776 On a further Progression into the said Bill, the Question was put, whether the following Clause shall be inserted in the Bill or not, Viz. and whereas, An Act of Assembly heretofore passed within this province, whereby it was expected that the Importation of so great a number of Convicted persons might be prevented, by obliging the Master or owner of all white Servants imported, after a certain Time therein limitted to pay all Fees that should arise on the Prosecution of such Servants; which hath not had the desired

Effect, but has been the Cause of concealing many Felonies and Disorders of such convicted Servants: To avoid which great Evil for the future, and for the better Discovery of Felonies and other Disorders against the peace and good Government of this Province, Be it Enacted by the Authority aforesaid, That such parts of the said Act entituled, An Act directing the payment of Fees arising due on the prosecution of white Servants, which shall hereafter be imported into this province as relate to the payment of Fees arising due upon any persecution of the Lord Proprietary against any Servants imported into this province after the making of the said Act, by the Masters or owners of such Servants, be and is hereby repealed, Annuled and made void. Resolved in the Negative. L. H. J. Liber No. 46 June 1

For the Affirmative

Mr Key	Mr P. Hammond	Mr Paca
Barnes	Worthington	Gordon
R. Gresham	Thomas	Dulany
Mills	George	Tilghman
Harris	Bayard	Hopper
H. Hall	Sheredine	
Carroll	Buchanan	

For the Negative

Mr Bond	Mr Dashiel	Mr Pearce
Smith	Handy	Wootton
Brome	R. J. Henry	Stoddert
Mackall	N. Goldsborough	Addison
Smallwood	Lloyd	T. Hammond
Harrison	Hooper	Robin
Wilkinson	Lecompte	J. Henry
Middleton	Sulivane	Scarborough
King	Hyland	Purnell

The Question was put, Whether the said Bill shall pass or not, resolved in the Negative. The House adjourns until To-morrow Morning 9 of the Clock

Thursday Morning June 2. 1748. June 2

The House met according to Adjournment. Mr Wilkinson hath Leave of the House to go home Col. Hall and Mr John Goldsborough appeared in the House.

On motion that a Bill be brought in, to make an Application of the one pound of Tobacco per poll, levied and assessed by the Governor and Council in the Year 1744; Leave is given: ordered, That the Committee of Laws prepare and bring in a Bill Accordingly.

L. H. J. Liber No. 46 June 2

Ordered, That the Committee of Accounts close the Journal of Accounts on Wednesday next. ordered, That no motion be made to bring in a Bill after Tomorrow Night.

Capt. Tilghman, from the Committee of Laws, delivers to Mr Speaker a Bill entituled An Additional Supplementary Act to the Act entituled an Act relating to Servants and Slaves; and a Bill entituled, An Act enabling the Commissioners of Charles Town in Cecil County to build an Inspecting House in the said Town; which Bills were Severally read the first Time, and ordered to lie on the Table.

p. 777

Col Lloyd, from the Upper House, delivers to Mr Speaker the Bill entituled An Act to restrain the ill Behaviour of Clergymen, Indorsed. By the Upper House of Assembly, June 2. 1748. read the second Time, and will not pass.

Signed per order J. Ross Cl. Up Ho.

Capt. Tilghman from the Committee of Laws, delivers to Mr Speaker a Bill entituled an Additional and explanatory act to the Act entituled An Act empowering the Commissioners of the County Courts to levy and raise Tobacco, to defray the Necessary Charges of their Counties and parishes: which Bill was read the first Time, and ordered to lie on the Table.

The House adjourned until Two of the Clock in the afternoon.

Post Meridiem.

The House met according to Adjournment &c. Mr Worthington, from the Committee of Accounts brings in an account from Edward Lloyd Esqr Signed by him as Treasurer of the Eastern Shore; and acquaints Mr Speaker, That that Committee desires to know the sense of the House, Whether that Committee shall receive and proceed to the Examination and passing the said account? The House having taken the same into Consideration; ordered, That the Committee do not receive the said Account in regard the said Edward Lloyd hath not been nominated Treasurer by this House, agreeable to the Usage and Custom of this province.

Resolved, That the Nomination of the Treasurers of this province, is the undoubted right of this House Ordered That Mr Philip Hammond, Dr Carroll, Capt Tilghman Mr Harris, and Mr Dulany, do prepare an Address to his Excellency the Governor in relation to Edward Lloyd Esqr his Acting as Treasurer. Richard Lee Esqr from the upper House delivers to Mr Speaker the Bill entituled, an Act relating to that part of King and Queen Parish, &c the Bill entituled An Act empowering the Justices of Worcester County to levy on the taxable Inhabitants of All hallows Parish, &c. the Bill entituled, An Act for Ascertaining the Bounds of King and Queen Parish &c the Bill entituled, An Act directing the former Sheriffs

of the Several Counties within this Province, &c and the Bill entituled, An Act empowering the Justices of Queen Anne's County, to levy on the taxable persons of Christ Church Parish &c. which Bills were severally Indorsed, By the upper House of Assembly June 2. 1748 read the second time, and will pass. L. H. J. Liber No. 46 June 2

Signed per order J. Ross. Cl. Up. Ho.

The aforesaid Bills were Severally read here, and passed for Ingrossing A Bill entituled, An Act for the relief of Thomas Brooke Junior, a languishing prisoner in Prince George's County Goal, was read the first Time, and ordered to lie on the Table.

A Bill entituled, An Act directing the former Sheriffs of the Several Counties within this province to Account with the Justices of the several County Courts for the Tobacco therein mentioned; was read the first Time, and ordered to lie on the Table.

A Bill entituled, An Act to enable the Justices of Pr. George's County to secure three Acres of Land, lying in King George's parish in said County, whereon a Brick Chapel of Ease is already built for the use of the Parishioners; was read the first Time, and ordered to lie on the Table. The House adjourns until Tomorrow Morning at 9 a'Clock.

Friday Morning June 3. 1748. June 3

The House met according to adjournment. &c. All appeared as yesterday except Mr Wilkinson. on motion that the House do take into Consideration the act for emitting 90000£ Currant Money of Maryland &c. Resolved That the House will take the same into Consideration on Tuesday Morning next. p. 778

On motion for Leave to bring in a Bill to continue the Act for raising 3d Sterling p Hogshead &c. until the 29th Day of September 1749. The Question was put Whether Leave be given to bring in a Bill to continue An Act for raising three pence Sterling p Hogshead on all Tobacco to be exported for purchasing Arms and Ammunition, and for an immediate Supply of Arms, for the Defence of this province or not. resolved in the affirmative.

For the Affirmative

Mr Key	Mr King	Mr Bayard
Barnes	Dashiel	Sheredine
Bond	Handy	Gordon
Mills	R. J. Henry	Dulany
R. Gresham	Thomas	Robins
Harris	Hooper	J. Henry
Harrison	Sulivane	Scarborough
Middleton	George	Purnell

L. H. J.
Liber No. 46
June 3

For the Negative

Mr H. Hall	Mr N. Goldsborough	Mr J. Hall
Carroll	Lloyd	Wootton
P. Hammond	J. Goldsborough	Stoddert
Worthington	Lecompte	Addison
Smith	Hyland	T. Hammond
Brome	Pearce	Hopper
Mackall	Buchanan	Tilghman
Smallwood	Paca	

The Bill entituled An Act for taking off part of Prince George's County and adding it, & was read the second Time, and will pass; and was sent to the Upper House by Mr Stoddert and Capt. Addison.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to adjournment &c

A Bill entituled, An Act continuing an Act entituled an Act for raising three pence Sterling p Hogshead on all Tobacco to be exported, for purchasing Arms and Ammunition and for an immediate Supply of arms for the Defence of this Province, was read the first Time, and ordered to lie on the Table.

Samuel Chamberlaine Esqr from the upper House, delivers to Mr Speaker the Bill entituled An Act to enable the several and respective County Clerks &c. the Bill entituled, An Act to prohibit the raising of Swine in Leonard's Town &c and the Bill entituled, an Act to remedy some Defects in an Indenture of Bargain and Sale executed by Charles Carroll &c. Severally Indorsed; By the upper House of Assembly, June 3. 1748 read the second Time and will pass.

Signed per order J. Ross Cl. Up. Ho.

Which Bills were severally read here, and passed for Ingrossing. Mr Harris from the Committee appointed to prepare An Address to the Governor, in relation to an Account laid before the Committee of Accounts by Col. Edward Lloyd, as Treasurer for the Eastern Shore, brings in an Address; which was read, approved, and ordered to be Ingrossed.

On motion for Leave to bring in a Bill to continue an Act for raising a Duty of three Half pence Sterling per Hogshead on all Tobacco exported out of this Province, for the Use of the Governor; the Question was put whether Leave shall be given to bring
p. 779 in a Bill to continue An Act for raising a Duty of three Half pence Sterling per Hogshead on all Tobacco exported out of this Province for the use of the Governor; or not. Resolved in the Negative.

For the Affirmative.

Mr Key	Mr Dashiel	Mr Gordon
Barnes	Handy	Dulany
Bond	R. Henry	T. Hammond
Mills	Thomas	Robins
R. Gresham	Hooper	J. Henry
Harris	Sulivane	Scarborough
Middleton	George	Purnell
King	Bayard	

For the Negative

Mr H. Hall	Mr Harrison	Mr Buchanan
Carroll	N. Goldsborough	Paca
P. Hammond	Lloyd	J. Hall
Worthington	J. Goldsborough	Wootton
Smith	Lecompte	Stoddert
Brome	Hyland	Addison
Mackall	Pearce	Tilghman
Smallwood	Sheredine	Hopper

The following Address to his Excellency the Governor Viz.

To his Excellency Samuel Ogle Esqr Governor of Maryland. The Humble address of the House of Delegates of the said Province. May it please yr Excellency. By an Account from Edward Lloyd Esq. laid before this House by the Committee of Accounts, we observe, that Gentleman Stiles himself Treasurer of the Eastern Shore; and as this House have had no share in, or Knowledge of his Appointment to that office, which of right they ought; we hope we shall stand excused by your Excellency if we do not Acknowledge Any Authority he hath to Act in that Station. It gives us no small Concern, that at this Time, when we rather hoped for a full Enjoyment of our rights and privileges we should have Cause to complain of any Violation of them. And we are willing to suppose, that your Excellency's Nomination of that Gentleman to that office, was rather to Supply the Vacancy occasioned by the Death of the late Treasurer in the Interval of Assembly, than to deprive this House of their Antient Right of appointment to the said office, in concurrence with the upper House. We cannot therefore consistent with our Duty as representatives of the people, give up this part of their Right; and as we have not the least View of encroaching on the Prerogatives of the Government, so we humbly hope your Excellency will not attempt to deprive us of that right we have enjoyed in the Nomination of the Treasurers of this Province. Was brought in Ingrossed, and was read and Assented to and signed, on Behalf of the House, by the Honourable Speaker. Mr Key and Mr Thomas were sent to acquaint the Governor that this House hath prepared

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an Address to him and desires to know when and where he will please to receive it: They return and acquaint Mr Speaker that the Governor Signified to them, that he would be ready in half an Hours Time to receive the address in the Conference Chamber. Col. King, and thirteen more, were ordered to present the address to the Governor. Col. Hammond, from the Upper House, delivers to Mr Speaker the Bill entituled, An Act for processioning Lands &c. Indorsed. By the Upper House of Assembly, June 3. 1748, read the second Time, and will not pass.

Signed per order J. Ross Cl Up Ho.

And the following Message; (See page 31)

p. 780 The Bill entituled An Additional and explanatory Act to the Act entituled An Act impowering the Commissioners of the County Courts &c. was read the second Time, and will pass.

His Excellency the Governor communicated to Mr Speaker the following Answer, Viz.

Gentlemen of the Lower House of Assembly. In Answer to your Address delivered to me this Day, I can very truly assure you that I shall always think my self happy when I can conform myself to your Sentiments, and shall be always ready to oblige you to the utmost of my power Consistent with the Duty of my Station: but as I look upon the Nomination of the Treasurer as one of the undoubted rights of his Lordship I cannot take it upon myself to give it up especially as I am warranted by An Authority that seemed unexceptionable to so many preceeding Assemblies.

Sam. Ogle

The House resolved to take into consideration the Governor's answer to the Address of this House, on Monday Next in the afternoon.

The House adjourns until Tomorrow Morning 9 of the Clock.

June 4

Saturday Morning, June 4. 1748

The House met according to adjournment.

The Bill entituled, An Additional and explanatory Act to the Act entituled An Act impowering the Commissioners of the County Courts &c. was sent to the Upper House By Mr Harris and Capt. Handy.

An Ingrossed Bill entituled, An Act to impower and direct the Clerk of Anne Arundel County Court, to enter and record Among the said County records a Deed of Bargain and Sale from William Mitchell Edward Mitchell, and Grace his wife, to Mordecai Moore, deceased; an Ingrossed Bill entituled An Act to prohibit the raising of Swine in Leonard's Town, in St Mary's County; an Ingrossed

Bill entituled, An Act impowering the Justices of Worcester County, to levy on the taxable Inhabitants of All hallows parish in the said County, a sum not exceeding 80000 lb. of Tobacco, for the uses therein mentioned; An Ingrossed Bill entituled, An Act for ascertaining the Bounds of King and Queen parish, in S[t] Mary's County, and for making the same and All Faiths compleat parishes, on the Death of the Rev[d] John Urquhart, present Incumbent of All Faith's Parish, lying in Saint Mary's and Charles Counties; An Ingrossed Bill entituled An Act relating to that part of King and Queen parish which lies in Charles County, and was lately severed by the Death of the Rev. M[r] John Donaldson; an Ingrossed Bill entituled, An Act impowering the Justices of Queen Anne's County to levy on the taxable persons of Christ Church parish in the said County, the sum of 37100 lb of Tobacco, for repairing and enlarging their Parish Church And an Ingrossed Bill entituled, An Act to enable the several and respective County Clerks within this Province, to remove some of the County records and papers from the publick offices; were severally read and assented to and sent to the upper House with the paper Bills by M[r] Dulany and M[r] Mills. The Bill entituled, an Act directing the former Sheriffs of the several Counties &c. was read the second Time and will pass, and was sent to the upper House by M[r] Harrison and Capt. Hopper Richard Lee Esq[r] from the Upper House, delivers to M[r] Speaker the Bill entituled An Act granting a further Time for Surveying and laying out a new Town in Worcester County called Newport Town &c. Indorsed; By the Upper House of Assembly June 4. 1748; read the second Time and will pass.

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p. 781

Signed per order I. Ross Cl. Up. Ho.

Which Bill was here read and passed for Ingrossing. On motion, the Question was Put, whether the Bill entituled An Act continuing An Act entituled, An Act for raising a Duty of three pence Sterling per Hogshead on all Tobacco &c. shall be now read or not, resolved in the affirmative.

For the affirmative

M[r] Key	M[r] King	M[r] Bayard
Barnes	Dashiel	Sheredine
Bond	Handy	Gordon
Mills	R. Henry	Dulany
R. Gresham	Thomas	Robins
Harris	Hooper	J. Henry
Harrison	Sulivane	Scarborough
Middleton	George	Purnell

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For the Negative

Mr H. Hall	Mr N. Goldsborough	Mr T. Hall
Carroll	Lloyd	Wootton
P. Hammond	J. Goldsborough	Stoddert
Worthington	Lecompte	Addison
Smith	Hyland	T. Hammond
Brome	Pearce	Tilghman
Mackall	Bucanan	Hopper
Smallwood	Paca	

On reading the Bill aforesaid, it was proposed by a Member, that it be made a Question: and thereupon the Question was put whether A Clause be added, directing that the Money raised by the former Act, and to be raised by the present Bill, be applied forthwith solely to the purchase of Arms and Ammunition, and that the said Arms And Ammunition be wrote for and imported into this province, for the common Defence thereof in these times of real Danger, as soon as possible; or not? resolved in the affirmative.

For the Affirmative

p. 782

Mr H. Hall	Mr Lloyd	Mr Stoddert
Carroll	J. Goldsborough	Addison
P. Hammond	Lecompte	T. Hammond
Worthington	Hyland	Tilghman
Smith	Pearce	Hopper
Mackall	Buchanan	Robins
Brome	Paca	J. Henry
Smallwood	J. Hall	
N. Goldsborough	Wootton	

For the Negative

Mr Key	Mr King	Mr Bayard
Barnes	Dashiel	Sheredine
Bond	Handy	Gordon
Mills	R. J. Henry	Dulany
R. Gresham	Thomas	Scarborough
Harris	Hooper	Purnell
Harrison	Sulivane	
Middleton	George	

A Clause to be [added for the] above mentioned purpose was inserted in the Bill aforesaid.

On reading the Bill aforesaid, the Question was put, Whether the several Naval officers shall be obliged to transmit the several Bills and Money, aRising by the Continuance of the before men-

tioned Act entituled, An Act for raising three pence Sterling ℔ Hogshead &c to Mr Adams, Merchant in London, directly; or pay the same to the Treasure[r]s of this Province, and be by them transmitted. Resolved, That the Money be paid by the Naval officers to the Treasurers of this Province, to be by them transmitted directly to Mr Joseph Adams, Merchant in London

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For the Money to be transmitted directly by the Naval officers to Mr Joseph Adams Merchant in London.

Mr H. Hall	Mr N. Goldsborough	Mr Pearce
Carroll	Lloyd	Wootton
P. Hammond	J. Goldsborough	Stoddert
Worthington	Lecompte	Addison
Smith	Buchanan	T. Hammond
Brome	Paca	Tilghman
Mackall	J. Hall	Hopper
Smallwood	Hyland	

For the Money to be paid by the Naval officers to the Treasurers; to be by them Transmitted to Mr Joseph Adams, Merchant in London

Mr Key	Mr King	Mr George
Barnes	Dashiel	Bayard
Bond	R. Henry	Gordon
Mills	Handy	Dulany
R. Gresham	Thomas	Robins
Harris	Hooper	J. Henry
Harrison	Sulivane	Scarborough
Middleton	Sheredine	Purnell

The Bill aforesaid was read thro' the second Time, and the Question was put whether the Bill entituled An Act continuing An Act entituled, An Act for raising three pence Sterling per Hogshead &c shall pass or not? resolved in the affirmative. p. 783

For the affirmative

Mr Key	Mr Dashiel	Mr J. Hall
Barnes	Handy	Gordon
Bond	R. J. Henry	Dulany
Mills	Thomas	Robins
R. Gresham	Hooper	J. Henry
Harris	Sulivane	Scarborough
Harrison	George	Purnell
Middleton	Bayard	
King	Sheredine	

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For the Negative		
Mr H. Hall	Mr N. Goldsborough	Mr Wootton
Carroll	Lloyd	Stoddert
P. Hammond	J. Goldsborough	Addison
Worthington	Lecompte	T. Hammond
Smith	Hyland	Tilghman
Brome	Pearce	Hopper
Mackall	Buchanan	
Smallwood	Paca	

The Bill entituled, An Act continuing An Act entituled, An Act for raising three Pence Sterling &c. was Indorsed, Read the second Time and will pass & was sent to the Upper House by Major Sheredine and Mr Thomas. The House adjourns until Monday Morning, 9 of the Clock.

June 6

Monday Morning June 6. 1748.

The House met according to adjournment &c. all members appeared as on Saturday except Mr Sulivane Mr John Gresham appeared. The Bill entituled an Act to enable the Justices of Pr. George's County to secure three Acres of Land &c. was read the second Time, and will pass and was sent to the upper House by Mr Stoddert and Capt. Addison, The Bill entituled, An Act for the Relief of Thomas Brooke &c. was read the second Time, and will pass; and was sent to the upper House by Mr Smith and five more. An Ingrossed Bill entituled, An Act to remedy some Defects in an Indenture of Bargain and Sale, made and executed by Charles Carroll &c[a] was read and Assented to, and sent to the Upper House, with the paper Bill, by Capt. Hyland and Mr Mackall. The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment &c[a] Capt. Ennalls appeared in the House. Mr Harris, from the Committee of Laws; deliver[s] to Mr Speaker a Bill entituled, An Act for altering and establishing certain Warehouses, and for other Purposes therein mentioned; which was read the first Time, and ordered to lie on the Table The Bill entituled, An Act enabling the Commissioners of Charles-Town &c. was read the second Time and will pass, and was sent to the Upper House by Capt. Hyland and Capt Bayard.

The House adjourns until Tomorrow Morning at 9 a Clock.

June 7

Tuesday Morning June 7. 1748.

The House met according to adjournment &c. A Bill entituled
p. 784 An Act empowering the Justices of Calvert County Court, to assess and levy on the taxable Inhabitants of the said County a sum not

exceeding 100£ current Money, and to empower certain Commissioners therein named, to appropriate the same towards building, finishing and compleating A new County Court House for the said County: was read the first and second Time by an especial order and will pass, and was sent to the Upper House by Mr Brome and Mr Mackall. L. H. J. Liber No. 46 June 7

The Bill entituled. An Additional Supplementary Act to the Act entituled An Act relating to Servants and slaves, was read the second time and will pass, and was sent to the Upper House by Capt. Tilghman and Capt. Handy. Col. Tasker from the upper House delivers to Mr Speaker, the Bill entituled an Act continuing An Act entituled An Act for raising three pence Sterling &c. Indorsed; By the Upper House of Assembly, June 7. 1748 read the second Time, and will pass.

Signed per order J. Ross Cl Up. Ho.

Which Bill was here read; and the Question was put whether the said Bill shall pass for Ingrossing or not resolved in the Affirmative.

For the Affirmative.

Mr Key	Mr King	Mr Sheredine
Barnes	Dashiel	J. Hall
Bond	Handy	Gordon
Mills	R. Henry	Dulany
J. Gresham	Thomas	Robins
R. Gresham	Hooper	J. Henry
Harris	Ennals	Scarborough
Harrison	George	Purnell
Middleton	Bayard	

For the Negative

Mr H. Hall	Mr Smallwood	Mr Wootton
Carroll	N. Goldsborough	Stoddert
P. Hammond	J. Goldsborough	Addison
Worthington	Hyland	T. Hammond
Smith	Pearce	Tilghman
Brome	Buchanan	
Mackall	Paca	

Which Bill was Indorsed, read and passed for Ingrossing. Colo Hammond from the upper House delivers to Mr Speaker the Bill entituled, An Act to enable the Justices of Pr George's County, to secure three Acres of Land &c Indorsed; By the Upper House of Assembly, June 7 1748 read the second time and will pass.

Signed per Order J. Ross Cl. Up Ho.

Which Bill was read here, and passed for Ingrossing.

The House Adjourns until 2 of the Clock in the afternoon.

L. H. J.
Liber No. 46
June 7

Post Meridiem.

The House met according to Adjournment. On Motion, the Question was put Whether the following Question shall be put; Viz. whether Leave be now Given to bring in A Bill to continue an
p. 785 Act entituled, An Act to raise a Duty of Three Half pence Sterling per Hogshead &c or not? Resolved in the Affirmative.

For the Affirmative

Mr Key	Mr Handy	Mr Gordon
Barnes	R. J. Henry	Dulany
Bond	Thomas	T. Hammond
Mills	Hooper	Robins
J. Gresham	Ennalls	J. Henry
Harris	Lecompte	Scarborough
Middleton	George	Purnell
King	Bayard	
Dashiel	Sheredine	

For the Negative

Mr H Hall	Mr Harrison	Mr J. Hall
Carroll	N. Goldsborough	Wootton
P. Hammond	Lloyd	Stoddert
Worthington	J. Goldsborough	Addison
Smith	Hyland	Tilghman
Brome	Pearce	Hopper
Mackall	Buchanan	
Smallwood	Paca	

Thereupon The Question was put, whether Leave be now given to bring in a Bill to continue an Act entituled An Act to raise a Duty of three Half pence Sterling per Hogshead on all Tobacco to be exported, for the Use of the Governor; or not? Resolved in the Affirmative.

For the Affirmative

Mr Key	Mr Dashiel	Mr Sheredine
Barnes	Handy	J. Hall
Bond	R. J. Henry	Gordon
Mills	Thomas	Dulany
J. Gresham	Hooper	T. Hammond
R. Gresham	Ennals	Robins
Harris	Lecompte	J. Henry
Middleton	George	Scarborough
King	Bayard	Purnell

L. H. J.
Liber No. 46
June 7

For the Negative

Mr H. Hall	Mr Smallwood	Mr Buchanan
Carroll	Harrison	Paca
P. Hammond	N. Goldsborough	Wootton
Worthington	Lloyd	Stoddert
Smith	J. Goldsborough	Addison
Brome	Hyland	Tilghman
Mackall	Pearce	Hopper

Mr Green the Printer, having made application to the House for an Allowance to be made him for Services done for the Public not yet allowed him, by a remonstrance of his Case, with several Facts contained therein. Mr Smith, Col. King and Mr Wootton, are appointed a Committee to examine into the Truth of the Allegations p. 786 contained in his Remonstrance, and report the same to the House. A Bill entituled An Additional Supplementary Act to the Act entituled, An Act for the more effectual punishment of Negroes and other Slaves and for taking away the benefit of Clergy from certain offenders, and to an Act entituled, An Act to prevent the tumultuous Meeting and other Irregularities of Negroes and other Slaves and directing the Manner of trying Slaves; was read the first Time, and ordered to lie on the Table. A Bill entituled, An Act continuing an Act entituled, An Act for raising a Duty of three Half pence Sterling &ca was read the first Time and ordered to lie on the Table. An Ingrossed Bill entituled, An Act continuing An Act entituled An Act for raising Three pence Sterling &c was read and Assented to, and sent to the upper House, with the paper Bill by Mr Thomas and Mr Lecompte. An Ingrossed Bill entituled, An Act granting a further Time for Surveying and Laying out a New a Town in Worcester County called Newport Town, &c was read and assented to, and sent to the Uper House with the paper Bill, by Colo Scarborough and Mr Robins. Col Scarborough, one of the Commissioners appointed by the Act entituled, An Act for issuing and paying out of the office of the Commissioners or Trustees for emitting Bills of Credit established by Act of Assembly, the Sum of 900£ Currant Money in Bills of Credit; as also for the payment of 200£ Sterling Money, for purchasing provisions for his Majesty's Forces raised in this Province, and ther purposes and for continuing part of an Act therein mentioned; delivers to Mr Speaker the following Account; Viz.

Dr Province Maryland in Sterling

		£ s d
1746.	To a set of Bills Transmitted to Stephen Bayard Esqr at New York for	200.00.00
Cr	By a set of Bills of Exchange received from Charles Hammond Esqr drawn By said Hammond on William Hunt, Merchant in London	200..00..00

L. H. J. Liber No. 46 June 7

D^{r}	Province of Maryland, in Currancy	
To	Benjamin Tasker Esq^{r} paid him	33..06..08
To	M^{r} Charles Carroll	33..06..08
To	Col Robert King	33..06..08
To	115 Barrels of Beef shipped to New York as p^{r} Bill of Lading at 40^{s} per Barrel	230..00..00
To	Thomas Lambden, for Freight of 40 Barrels of Pork from Annapolis	5..00..00
To	trimming ditto Barrels	0..13..00
To	carting ditto to the Sea Side	3..00..00
To	227 Barrels of Porke, Shipped to New York, as per Bills of Lading at 51^{s}..4½^{d} per Barrel	583..02..01½
To	Freight of 382 Barrels of Beef and Pork Shiped at 6^{s}/3^{d} p^{r} Barrel	119..07..06
To	Commissions at 5 p^{r} Cent on the above sum	51..14..05
To	Ditto transmitting 200£ Bills of Exchange	6..13.. 4
To	paid postage of Letters from New York	0..10..11
To	Capt. John Wright, paid him for Freight of Bills of Exchange	0.. 5..00
		1100..06..03½
	To Ballance due.	0..02..00½
C^{r}	Total	1100..08..04
By	Bills of Credit, received from the Trustees of the Loan off.	1100..08..04

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Errors Excepted, per
John Scarborough Thomas Robins Isaac Morris

Which was read and approved by the House. M^{r} Lloyd hath Leave of the House to go home.

The House adjourns until Tomorrow Morning at 9 o'Clock.

June 8

Wednesday Morning, June 8. 1748.

The House met according to Adjournment & all the Members appeared that were present yesterday except M^{r} Philip Hammond and M^{r} Lloyd. M^{r} Thomas Hammond hath Leave of the House to go home. The Bill entituled, an Act for dividing S^{t} Paul's Parish in Queen Anne's and Talbot Counties &c. was read the second time and will pass, and was sent to the Upper House by Capt. Tilghman and M^{r} John Goldsborough. Col. King from the Committee appointed to enquire into the Facts contained in the remonstrance made by Jonas Green printer, delivers to M^{r} Speaker the following report; Viz.

By the Committee appointed by the Hoñble the Lower House of Assembly, to inspect into the Truth of the Facts set forth in the Case of Jonas Green printer, June 8. 1748. Your Committee do find, that in the year 1738, A Bill passed both Houses, allowing him the said Green ten Pounds Currant Money for each County. Your Committee further find that in May 1739, A Bill passed both Houses, allowing the said Green fifteen pounds for each County; The Motives that induced the Hoñble House to make the accession to his Salary five pounds more at that Time, is humbly submitted to the Consideration of the House and we Likewise find, in September Session 1742 among the proceedings on the Journal for that year, the following Entry, Viz. The Question was put Whether Jonas Green shall be allowed, in full Consideration of all Services he did for the Country, and Disapointments met with before the Act passed in his favour, in July 1740 took place. Resolved, That the allowance be one hundred and twenty pounds, and that the same be allowed in the Journal of Accounts. All which is humbly submitted to the Consideration of your Honourable House. L. H. J. Liber No. 46 June 8

Signed per order W^m^ Wilkins, Clerk.

On reading the aforesaid report, the Question was put, Whether Jonas Green shall be allowed 120£ currant Money or 180£ Currant Money. Resolved, That he be allowed 180£ Currant Money.

The Governor communicated to M^r^ Speaker the following Message; Viz. Gentlemen of the Lower House of Assembly. I Transmitted your Address dated the 22^d^ of June last about the Arms &c. Supplied out of our Magazine for his Majesty's Service to the Lord proprietary by the first Opportunity after I received it; and I have the pleasure to tell you that his Lordship applied to the Secretary at War, who promised his Lordship that the Province should be allowed for them

Sam. Ogle.

The House adjourned untill Two of the Clock in the afternoon.

Post Meridiem

The House met according to Adjournment &c. Capt Tilghman hath Leave of the House to go home M^r^ Smith from the Committee of Elections and privileges, delivers to M^r^ Speaker the following report; Viz

By the Committee of Election and privileges, June 8. 1748 were present M^r^ Walter Smith, M^r^ Thomas Worthington, M^r^ Byne Smallwood, M^r^ John Goldsborough, Col. George Dashiel

Your Committee having inspected the Writ directed to the Sheriff of Charles County to elect a Member to Serve in this present General Assembly, do find by the Indenture thereunto Annexed, that M^r^ William Middleton, of the County aforesaid, is duly returned

L. H. J. Liber No. 46 June 8

which is humbly submitted to the Consideration of your Honourable House.

Signed per order Will[m] Wilkins Clerk

Major Sheredine, from the Committee appointed to inspect the office and proceedings of the Commissioners for emitting Bills of Credit &c. delivers to M[r] Speaker the following report; (See pages 37-42)

p. 791 With which the House concurs. Daniel [Dulany] Esq[r] from the upper House delivers to M[r] Speaker the Bill entituled An Act to divide Prince Georges County &c. and the following Message; (See page 36)

Col. Lloyd, from the Upper House, delivers to Mr. Speaker the Bill entitled: An Act directing the former Sheriffs of the Several Counties and Indorsed (See page 36)

Which amendments were here read, and this House would not concur therewith

Philip Thomas Esq[r] from the upper House, delivers to M[r] Speaker the Bill entituled, An Act for taking off part of Prince Georges County, and adding it to Charles County, Indorsed, By the Upper House of Assembly June 8 1748 read the second Time and will pass.

p. 792

Signed per order J. Ross Cl Up. Ho.

Which Bill was read here, and passed for Ingrossing Col. Hammond from the Upper House delivers to M[r] Speaker the Bill entituled An Act enabling the Commissioners of Charles Town &c. Indorsed. By the Upper House of Assembly & read the first Time, and ordered to lie on the Table &c. and thus: By the Upper House of Assembly, June 8. 1748. Read the second Time and will pass with the following Amendment after word That in 30[th] Line of 1[st] page, to the words the Commissioners, in 23[d] Line to be omitted.

Signed per Order. J. Ross Cl. Up. Ho.

which Bill was read here, and, with the Amendment proposed by the Upper House passed for Ingrossing. Edmund Jenings Esq[r] from the Upper House, delivers to M[r] Speaker the Bill entituled, An additional and explanatory Act to the Act, entituled, An Act empowering the Commissioners of the County Courts &c. Indorsed. By the Upper House of Assembly, June 8. 1748. Read the second Time and will pass with the following Amendments Leave out the words between Several Counties, in 8[th] Line; and the word it is in the 16[th] Line of the first page; and also the word therefore in the same Line.

Signed per Order J. Ross Cl. Up. Ho.

Which Bill was read here, and with the Amendment proposed by the Upper House passed for Ingrossing. George Plater Esq[r] from

the Upper House, delivers to M^r^ Speaker the Bill entituled an Act empowering the Justices of Calvert County Court to assess and levy &c Indorsed. By the Upper House of Assembly, June 8. 1748, read the second Time and will pass which Bill was read here, and passed for Ingrossing. L. H. J. Liber No. 46 June 8

Signed per order. J. Ross Cl. Up. Ho.

Benedict Calvert, Esq^r^ from the Upper House, delivers to M^r^ Speaker the Bill entituled An Additional and supplementary Act to the Act entituled, An Act relating to servants and slaves Indorsed; By the Upper House of Assembly June 8. 1748 read the second Time and will pass.

Signed per order J. Ross Cl. Up. Ho.

which Bill was read here and pass^d^ for Ingrossing. Richard Lee Esq^r^ from the Upper House delivers to M^r^ Speaker the Bill entituled An Act for dividing St. Pauls Parish in Queen Annes and Talbot Counties &^ca^ Indorsed; By the Upper House of Assembly June 8 1748 read the second Time and will pass.

Signed per Order. J. Ross. Cl. Up. Ho.

which Bill was read here, and passed for Ingrossing. Col. Tasker, from the Upper House delivers to M^r^ Speaker the Bill entituled An Act for the relief of Thomas Brooke Junior a languishing prisoner in Prince George's County Goal Indorsed; By the upper House of Assembly, June 8^th^ 1748, read the second Time and will not pass.

Signed per order J. Ross Cl. Up. Ho.

M^r^ Smith from the Committee appointed to inspect the Arms and Ammunition &c. delivers to M^r^ Speak^r^ the following report Viz.

By the Committee appointed to inspect the arms Ammunition, and Accounts relating thereto. June 8. 1748. Your Committee having inspected the Arms and Ammunition in the City of Annapolis, do find the same as followeth Viz. In the powder House 134 Sword Belts, 42 Carbines one Box of Flints 133 Cags of Leaden Balls 6 Barrells and 8 half Barrels of new powder 13 half Barrells of old Ditto under the Conference Chamber 2700 lb of Ball 300 lb of Large Shot 980 lb of Bar Lead. in the room over the Conference Chamber, 70 old Musquets and Carbines much out of repair, 23 pair of Holsters 11 Musquets 145 Swords 25 Bayonets 65 new Sword Belts 15 old Cutlasses, 6 Drums 4 Chests of Match, 8 pistols

In the Council Chamber, 375 Musquets and Carbines 71 pistols p. 793
22 Trumpets 9 Drums 27 Swords, 44 Cartouch Boxes and Belts and 9 old Ditto, 49 Halberts and pikes, 46 Buckets and Slings, 50 Sword Blades 10 Daggers. Your Committee further certify that they have applied to the Committee of Accounts, in Order to inspect the Treasurers account; and are informed by said Committee that

L. H. J. Liber No. 46 June 8 no Treasurers accounts lie before them all which is humbly submitted to the Consideration of Your Honourable House.

Signed per order Thom° Harwood jun^r Cl. Com.

The House adjourns until Tomorrow Morning at 9 a Clock

June 9 Thursday Morning June 9. 1748.

The House met according to adjournment &c all Present as Yesterday except M^r Tilghman and M^r Thomas Hammond. M^r Philip Hammond Appeared in the House. On reading the second Time the Bill entituled An Act continuing An Act entituled An Act for raising a Duty of Three Half pence Sterling &c.

The Question was put, whether the said Bill shall pass, or not? Resolved in the affirmative

For the Affirmative

M^r Key	M^r Dashiel	M^r Sheredine
Barnes	Handy	J. Hall
Bond	R. J. Henry	Gordon
Mills	Thomas	Dulany
J. Gresham	Hooper	Robins
R. Gresham	Ennalls	J. Henry
Harris	George	Scarborough
Middleton	Lecompte	Purnell
King	Bayard	

For the Negative

M^r H. Hall	M^r Smallwood	M^r Buchanan
Carroll	Harrison	Paca
Worthington	N. Goldsborough	Wootton
Smith	J. Goldsborough	Stoddert
Brome	Hyland	Addison
Mackall	Pearce	Hopper

Which Bill was Indorsed, Read the second Time and will pass, and was sent to the Upper House by Maj^r Barnes and Col. Henry. The Bill entituled, An Additional Supplementary Act to the Act entituled An Act for the more effectual punishment of Negroes and other Slaves &c. was read the second Time and will pass, and was sent to the Upper House by Major Henry and M^r Mills

The Bill entituled, An Act for the releif and release of distressed prisoners &c. was read the second Time and will pass, and was sent p. 794 to the upper House by M^r N. Goldsborough, and 13 more. It being moved That the Clerk of this House be paid by the public for issuing Summons for Evidences to attend at the Bar of this House, to

testify to the Facts contained in the Petition of the Free holders of prince George's County; and that the Serjeant at Arms be paid for summoning Evidences, and Charges of hiring Messengers relating to the said petition, and the Evidences that were summoned and Attended be paid their Charges for Attendance the Question was put whether the charges shall be paid by the public, or by the person who made application for the summons. Resolved that the Charges be paid by the person that applied for the summons's. A Bill entituled, An Act to enable the Justices of Pr. George's County to raise 54000 lb Tobacco &c. was read the first Time, and ordered to lie on the Table. L. H. J. Liber No. 46 June 9

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to adjournment. Mr Worthington from the Committee of Accounts brings in the Journal of Accounts, which was read and assented to and sent to the Upper House by Mr Worthington and Col. Dashiel. Col Lloyd from the Upper House, delivers to Mr Speaker the Bill entituled, An Act continuing an Act for raising a Duty of three Half pence Sterling &ca Indorsed. By the Upper House of Assembly, June 9. 1748. Read the second Time by an especial Order and Will Pass.

Signed p Order J. Ross Cl. Up. Ho.

Which Bill was read here and Passed for Ingrossing. The Bill Entituled an Act for altering and establishing certain Warehouses &ca was read the second time and will Pass.

The House Adjourns untill Tomorrow Morning at 9 a Clock.

Fryday Morning June 10th 1748 June 10

The House met according to Adjournment &ca All appeared, except Mr Nicholas Goldsborough & Col. Hooper. The Bill Entituled An Act to enable the Justices of Prince Georges County to raise 54000 lb of Tobacco &ca was read the second Time and will Pass and was sent to the Upper House by Mr Stoddert and Mr Wootton. The Bill Entituled an Act for Altering and establishing Certain Warehouses &ca was sent to the Upper House by Mr Key and Mr Richard Gresham An Ingrossed Bill entituled An Act to divide Prince Georges County &ca

An Ingrossed Bill entituled An Act for dividing Saint Pauls Parish, in Queen Anne's and Talbot Counties &c. an Ingrossed Bill entituled, An additional supplementary Act to the Act entituled, An Act relating to Servants and Slaves; an Ingrossed Bill entituled An Act empowering the Justices of Calvert County Court to assess and levy on the taxable Inhabitants of the said County a sum not

L. H. J. Liber No. 46 June 10 exceeding 1000£ &c An Ingrossed Bill entituled An Act enabling the Commissioners of Charles Town &c. An Ingrossed Bill entituled, An Act to enable the Justices of P^r George's County to secure three Acres of Land &c. an Ingrossed Bill entituled, An Act continuing an Act entituled An Act for raising a Duty of three Half pence Sterling &c an Ingrossed Bill entituled, An Act for taking off
p. 795 part of Prince Georges County &c and an Ingrossed Bill entituled, An Additional and explanatory Act to the Act entituled, An Act impowering the Commissioners of the County Courts to levy &c. were severally read and assented to and sent to the upper House with the paper Bills by M^r Mackall and M^r Dulany. Richard Lee Esq^r from the upper House delivers to M^r Speaker the Journal of Accounts, and the following Message. (See page 45)

A Bill entituled a Supplementary Act to the Act entituled, An Act requiring the Masters of Ships and Vessels to publish the Rates of their Freight before they take any Tobacco on board, was read the first and second time by an especial Order, and will pass, and was sent to the Upper House by M^r Smith and Major Hall. D^r Carroll from the Committee of Laws delivers to M^r Speaker the following Report; Viz. By the Committee of Laws, June 10. 1748.

Your Committee humbly observe, That by the Statute 2 W. and M. Sect. 1, Chap. 5 a Distress Taken for Rent may in five Days be Appraised and sold by the Sheriff, his Deputy, or Constable if not within that Time Replevied and which Act hath been judged in Force within this province.

By the Laws of our Mother Country, the Sheriff ex officio, upon Plaint and Surety, may make Replevin, and order his Bailiffs and Deputies to redeliver the Goods or Cattle distrained, and in the County Court hear and determine the Legality of such Distress The Sheriffs are oblidged by Statute for the Conveniency of the People within their County to appoint Deputies to make replevin I Ph. and M, Chap. 12. The Sheriffs within this province have at all Times been executive rather than Judicial officers; nor does it appear, that they have had Cognizance in a judicial way of Replevins.

The County Courts are held within this Province, wherein the Justices of the Peace within each respective County are Judges, and are Courts of record, having a Clerk; and in such Courts the Sheriff is but an executive officer. All Actions popular, and all Actions personal, of what sort soever, are tryable in the same Courts, under the Value of 100£ Sterling, or 30000 lb of Tobacco; as by the Commission And Acts Appear. The Clerk of the same Court makes out Writs in all such Actions as aforesaid within the Jurisdiction of the Court aforesaid, and under the Seal thereof. Your Committee humbly conceive, that upon complaint to the Sheriff, that the Goods or Cattle of Any person [having] been distrained for Rent, or otherwise;

such person tendering good and Sufficient Surety, to the Value of the Goods or Cattle distrained or taken, to return the same or the Value with Costs; such Sheriff ought of right to deliver or cause to be Delivered to such person, his Goods and Cattle so taken or distrained, And return to the Next County Court such Cause of taking together with the security taken for prosecution of the suit or delivered &ca Your committee likewise humbly apprehend that from the Nature of the said County Courts the Matters tryable therein, the oath of the Judges to hear and determine according to the Laws, customs, an Directions of the Acts of Assembly of the Province, so far as they provide and where they are Silent, according to the Laws Statutes, and reasonable Customs of England, as used and practised within the Same. That there may be a great Failure of Justice, and attended with evil Consequence to his Majesty's liege, loving and Dutiful Subjects the Inhabitants and people of this province; if a Writ of replevin, as well as other Writs for matters cognizable in the said County Courts, may not be made out by the Clerks of the same Courts

L. H. J. Liber No. 46 June 10

p. 796

And it seems inconsistent with common Sense and reason, that the same Clerk should have power to make out a Writ or process, to restrain the Liberty of man And not that of reclaiming his Goods or Chattles wrongfully taken or detained.

Your Committee humbly conceive, that in order to avoid any Doubts which may arise concerning the Right of the Subjects to have such Writ made out by the Clerk of the County Court, notwithstanding the reasonableness of the Case, That an Act should pass the Legislative power to that purpose for the Ease and Security of his Majestys Subjects. But is humbly submitted to the Consideration of your Honourable House

Signed per order V. Denton, Clerk.

With which the House Concurs, and referred the same to the Consideration of the next Assembly. The House taking into Consideration the report from the Committee of Laws relating to Salt Concurs therewith, and referred the same for Consideration [to] the next Assembly. Mr Addison hath Leave of the House to go home

The House Adjourns until 2 of the Clock in the afternoon

Post Meridiem.

The House met according to Adjournment.

The following Message, [was sent to the Upper House by Messrs Gordon and Dulaney] (See page 46)

The following Message; (See page 46)

Was sent to the Upper House with the Journal of Accounts by Mr Worthington Col. Dashiel and Dr Buchanan.

p. 797

L. H. J. Liber No. 46 June 10

Benedict Calvert Esq^{r} from the Upper House, delivers to M^{r} Speaker the Bill entituled An Act to enable the Justices of P^{r} Georges County to raise 54000 lb Tobacco &c Indorsed, By the upper House of Assembly, June 10. 1748 read the second Time and will pass.

Signed per Order J. Ross Cl. Up. Ho.

Which Bill was read here, and passed for Ingrossing. An Ingrossed Bill entituled An Act to enable the Justices of Prince Georges County to raise 54000 lb of Tobacco &c. was read and assented to, and sent to the Upper House, with the paper Bill By M^{r} Wootton and Capt. Bond.

Col Tasker, from the Upper House, delivers to M^{r} Speaker the following Message (See page 47)

Col. Hammond from the Upper House delivers to M^{r} Speaker the Bill entituled An Act for altering and establishing certain Warehouses &c. Indorsed (See page 47)

And the following Message Viz. (See pages 47-49)

p. 798 Edmund Jenings Esq^{r} from the Upper House delivers to M^{r} Speaker the Journal of Accounts. Indorsed, By the Upper House of Assembly, June 10. 1748. Read and will not be Assented to.

Signed per order. J. Ross Cl. Up. Ho.

Daniel Dulany Esq^{r} from the Upper House delivers to M^{r} Speaker the Bill entituled An additional Supplementary Act to the Act entituled, An Act for the more effectual punishment of Negroes and other Slaves &c, the Bill entituled, An Act for the Relief and release of distressed Prisoners for Debt, and the Bill entituled A Supplementary Act to the Act entituled an Act requiring the Masters of Ships and Vessels to publish the rates of their Freights before they take any Tobacco on board; Severally Indorsed, By the Upper House of Assembly, June 10. 1748.

Read the Second Time by especial Order, and will not pass.

Signed per Order J. Ross Cl. Up. Ho.

A Bill entituled, An Act to enable M^{rs} Sarah Hollyday, Executrix of James Hollyday Esq^{r} deceased, to pay the Money therein mentioned, was read the first and second Time by an especial order and will pass.

p. 799 The House adjourns until Tomorrow Morning at 8. a Clock.

June 11

Saturday Morning June 11. 1748.

The House met according to Adjournment. all the Members appeared as Yesterday except Capt. Addison. The Bill entituled, An Act to enable M^{rs} Sarah Hollyday, Executrix of James Hollyday Esq^{r} deceased, to pay the Money therein mentioned, was sent to the Upper House by M^{r} Smallwood and Capt. Hyland.

The House proceeded to tax the Bill entituled, An Act to remedy some Defects in an Indenture of Bargain and Sale made and executed by Charles Carroll of Annapolis, Surgeon, &c. L. H. J. Liber No. 46 June 11

To the Hoñble Speaker	£4..0..0
To the Clerk	2..0..0

And the Bill entituled, An Act to empower and direct the Clerk of Anne Arundel County Court to enter and record, among the said County records, a Deed of Bargain and Sale &c

To the Honourable Speaker	£1..0..0
To the Clerk	0..10..—

Ordered, That the Commissioners of the paper Currency office be acquainted to write to the Justices of the Several Counties (who have now remaining in their Hands any part of the sum which the Thirty Shillings amounted unto that was transmitted to the Several County Courts, at the first Emission of the Paper Currancy to be distributed to each Taxable) to remit such Money immediately to the Commissioners aforesaid and it is further Ordered, That the Commissioners aforesaid do require the said Justices to send their reasons in Writing to them wherefore they retained those Moneys so long in their Possession, without their rendering any account to them the Commissioners aforesaid; and that the Clerk of this House make out a Copy of this order, and deliver it to the Commissioners of the paper Currency. Richard Lee Esq^{r} from the Upper House delivers to M^{r} Speaker the Bill entituled, An Act to enable M^{rs} Sarah Hollyday Executrix of James Hollyday Esq^{r} deceased, to pay the Money therein mentioned, Indorsed. By the Upper House of Assembly, June 11. 1748. read the first and second Time by An especial Order, and will pass.

Signed p^{r} order J. Ross Cl. Up. Ho.

Which Bill was read here, and passed for Ingrossing. The Bill entituled, An Act for Altering and establishing certain Warehouses, &c. And the following Message Viz. (See page 50)

Was sent to the Upper House by Major Ennalls and Capt Paca. An Ingrossed Bill entituled, An Act to enable M^{rs} Sarah Hollyday, Executrix of James Hollyday Esq^{r} deceased, to pay the Money therein mentioned, was read and assented to and sent to the upper House, with the paper Bill, by M^{r} Pearce and Col. Scarborough. Col^{o} Tasker from the Upper House delivers to M^{r} Speaker the several paper Bills (the Ingrossed Bills of which having been Assented to by both Houses) severally Indorsed By the Upper House of Assembly &c. the Ingrossed Bill, whereof this is the original, is read and Assented to p. 800

Signed per order J. Ross Cl. Up. Ho.

L. H. J. Liber No. 46 June 11 p. 801 Benedict Calvert Esq[r] from the Upper House, delivers to M[r] Speaker the Bill entituled, an Act for altering and establishing certain Warehouses &c. and the following Message (See page 51)

The House adjourns until 2 of the Clock

Post Meridiem.

The House met according to Adjournment. the Question was put, whether the House agrees to the third alteration proposed by the upper House, to the Bill, entituled, An Act for altering and establishing certain Warehouses, and for other purposes therein mentioned; or not.

Resolved unanimously, not to agree to the alteration. the Question was put, whether a Message shall be prepared and Sent to the Upper House to enforce the Message Sent from this House to the Upper House this Day relating to the alteration proposed by the Upper House to the Bill entituled, An Act for altering and establishing certain Warehouses, and for other purposes therein mentioned; or not. Resolved in the affirmative. Col[o] Hammond, from the Upper House, delivers to M[r] Speaker the following Message. (See page 52)

The following Message being prepared (See page 53)

p. 802 It was moved, that the foregoing Message be presented by M[r] Speaker, Attended by the whole House And being so resolved, M[r] Speaker left the Chair and attended by all the Members went to the upper House, and presented the said Message

p. 803 M[r] Speaker with the Members returned, and resumed the Chair, Daniel Dulany Esq[r] from the Upper House delivers to M[r] Speaker the following Message (See page 54)

On reading the Message aforesaid, the Question was put, Whether the Bill Entituled, An Act for altering and establishing certain Warehouses, and for other purposes therein mentioned, shall pass, without the following Clause, Viz. and whereas by the said recited Act it is Enacted, That all Debtors, at the Time of making the said Act, owing Tobacco, their Executors, and Administrators, should if they paid their Tobacco Debts then due in Inspected Tobacco at Warehouses, in pursuance of the said recited Act, be allowed by their several and respective Creditors, their Executors, or administrators a Deduction of one fourth part of their Debts or Demands. And it being represented to this present General Assembly, that many [of] the people within this Province, in order to evade the true Intent and Meaning of the said Act, have Since the making thereof, made new contracts with their Debtors, by taking obligations, or other securities, for such their Debts: Be it Enacted and declared by the Authority aforesaid. That in all Cases where any Creditor or Creditors have since the making of the said recited Act, taken or

shall take, any Security or Securities for Tobacco Debts, that were due and owing prior to the making the said Act, where the Creditor or Creditors shall be paid in Inspected Tobacco, the Creditor or Creditors shall be, and hereby are obliged to discount one fourth part of the original Tobacco Debt, According to the true Intent and Meaning of the before mentioned and this Act; Any Law to the Contrary notwithstanding, and whereas it may happen that the Debtor or Debtors, by the Management of the Creditor or Creditors, may not be able to make appear that any Bond, Bill, Note or specialty, taken and entred into since the making of the said Act, was passed for Any Debt or Debts really and bona fide contracted prior to the making the said Act; Be it Enacted, in such Case, That if the Debtor or Debtors shall be sued or prosecuted at Law for said Debt or Debts, that then in Case the Debtor or Debtors shall in Any Court of Law insist, that he she or they according to the true Intent and Meaning of the aforesaid Act, ought to have a Discount of a Fourth of the Debt or Demand, he she or they shall be impleaded for, and shall alledge any Failure of proof; that then and in such case the Plaintiff or Plaintiffs in Any Action, or their Attorney or Attorneys in Fact, may be, by the Court in which such Action or Actions shall be brought interrogated on Oath touching the Premises; that is to say, whether or not the Debt or Demand sued for, was A Debt really and bona fide due before the making of the said Act, and in case the Plaintiff or Plaintiffs or their Attorney or Attorneys in Fact, refuse to Answer on Oath touching the Matter, that then and in such case, it shall be taken for granted, that the Debt or Demand Sued for was for a Debt due Prior to the making said Act; and then that a Discount of one Fourth of the Debt or Demand shall be made, as if the same had actually been paid or not?

L. H. J. Liber No. 46 June 11

Resolved in the affirmative.

For the affirmative

Mr Key	Mr Harrison	Mr Bayard
Barnes	Middleton	Sheredine
J. Gresham	Dashiel	J. Hall
R. Gresham	Handy	Wootton
Harris	R. J. Henry	Stoddert
H. Hall	J. Goldsborough	Gordon
Hammond	Thomas	Dulany
Worthington	Ennals	J. Henry
Smallwood	Hyland	

p. 804

For the Negative

Mr Carroll	Mr Pearce	Mr Scarborough
Smith	Hopper	Purnell
Lecompte	Robins	

L. H. J. The said Bill was read, and passed for Ingrossing.

Liber No. 46 June 11 An Ingrossed Bill entituled, An Act for altering and establishing certain Warehouses, and for other purposes therein mentioned, was read and Assented to, and was sent to the upper House, with the paper Bill, by Major Sheredine and M[r] Thomas. Col. Tasker, from the upper House, delivers to M[r] Speaker the paper Bill entituled, An Act for Altering and establishing certain Warehouses, and for other purposes therein mentioned, Indorsed, By the Upper House &c. the Ingrossed Bill, whereof this is the Original, is read and Assented to.

Signed per order J. Ross Cl. Up. Ho.

Col. King and M[r] Key were sent to Acquaint the Governor, that no Business lies now before this House.

Daniel Dulany Esq[r] from the Upper House, Acquaints M[r] Speaker, that the Governor requires his attendance with the Members of the Lower House, immediately in the Council Chamber. M[r] Speaker Left the Chair and, with the other Members, went to the Council Chamber, and there presented to his Excellency the Governor, the following Ingrossed Bills, (See pages 55-56)

All of which his Excellency passed into Laws in the usual form.

After which his Excellency was pleased to conclude this Session with the following Speech (See page 57)

p. 806 So endeth this Session of Assembly, this Eleventh Day of June, in the Thirty-fourth Year of his Lordship's Dominion Annoque Domini 1748

Test. M. Macnemara Cl. lo ho.

ACTS OF ASSEMBLY PASSED IN MAY AND JUNE, 1748

At a Session of Assembly begun and held at the City of Annapolis the Tenth Day of May in the thirty fourth Year of the Dominion of the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &ca. Anno Dom. 1748 and ending the Eleventh Day of June following Liber B.L.C. p. 434

The following Laws were Enacted and Assented to by His Excellency Samuel Ogle, Esquire Governor.

An Act to exempt Persons appearing at Musters from Arrests in civil Cases. No. 1

Whereas the Service of the Country in this Time of War, may require that People be frequently trained in the Use of Arms, and that in order thereto it will be requisite for them to meet at certain Times and Places to Muster and Exercise; It is therefore humbly prayed that it may be Enacted, [Preamble.]

And be it enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Persons who shall attend at Places of Muster, in order to be trained and instructed in Military Discipline, shall be and they are hereby declared to be exempted and freed from all Arrests in civil Cases, as well going to such Place of Muster, as at, and coming from the same, for and during the Space and Term of Twenty-four Hours, every such Time of Muster; Any Law, Statute, Usage or Custom to the contrary in any wise notwithstanding. [Persons attending at Musters, to be exempt from Arrests for 24 Hours.]

This Act to continue for and during the Term of Three Years, and to the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years. [Continuance.]

May 21th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Hoñble the Lord Propry of this Province I will this be a law
Sam. Ogle

the Great Seal in wax appendt

24 May 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

Liber B. L. C. No. 2

An Act impowering the Justices of Kent County to assess and levy on the taxable Inhabitants of Shrewsbury Parish in the said County, a Sum not exceeding Eight thousand Pounds of Tobacco, for the Uses therein mentioned.

[Preamble.] Whereas the Rector, Vestrymen and Church-Wardens of the Upper Hundred of Shrewsbury Parish in Kent County, have, by their humble Petition to this present General Assembly, set forth, That as the said Parish is so greatly increased as to render their Attendance at the Parish Church greatly inconvenient, they have, with the Assistance of the Rector, at their own Expence, erected and built, in the upper Part of the said Parish, the Shell of a Chapel of Ease, for the Conveniency of the said upper Part: but many of the Petitioners being new Settlers, are unable to raise a Sum sufficient to finish and compleat the same; wherefore they pray that a Sum, not exceeding Eight thousand Pounds of Tobacco, may be assessed and levied on the taxable Inhabitants of the said Parish, to be applied towards the finishing and compleating the said Chapel, and that the same may be declared a Chapel of Ease;

[Kent County Justices to levy 8000 wt. Tobacco, for finishing a Chapel.] Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Kent County for the Time being, shall be, and they are hereby authorized and directed, at their Court to be held at next November, to assess and levy, on the taxable Inhabitants of the said Parish of Shrewsbury, a Sum, p. 435 not exceeding Eight thousand Pounds of Tobacco, exclusive of the Sheriff's Salary of Five per Cent. for Collection thereof: which Sum so assessed and levied, shall be collected by the Sheriff of Kent County aforesaid, who shall, and he is hereby required to pay the same to the Rector, Vestry, and Church-Wardens of the said Parish for the Time being, or their Order, to be by them applied towards finishing and compleating the Chapel aforesaid.

[The Chapel to be attended every third Sunday.] And be it further Enacted, That the Chapel so as aforesaid finished and compleated, shall be, and it is hereby declared to be, deemed and taken, as a Chapel of Ease to the said Parish of Shrewsbury; and that the Minister or Incumbent, for the Time being of Shrewsbury Parish, shall, and he is hereby required and obliged to attend and perform divine Service at the said Chapel of Ease, every third Sunday, unless prevented by Sickness, or some other reasonable Cause of Excuse.

May 28th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle

the Great Seal in wax append.

28th May 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

An Act to prohibit the raising of Swine in Leonard's-Town in St. Mary's County.

Liber B.L.C. No. 3

[Swine not to be kept in Leonard's Town, except in Inclosures.]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That no Person or Persons whatsoever, living or to live within Leonard's Town in St. Mary's County, shall, after the End of this present Session of Assembly, under any Pretence whatsoever, keep or support within the same Town, any Swine belonging to themselves, or any other Person whatsoever, unless such Swine be kept within such Person or Person's Inclosure so keeping or supporting such Swine.

[Penalty, and how applied.]

And be it further Enacted by the Authority aforesaid, That any Person or Persons that shall be convicted before any Magistrate, on Confession or Proof of transgressing against this Act, shall pay Five Shillings Current Money, for each Transgression; the same to be levied on the Body, Goods or Chattels of the Offender, by way of Execution, as in Case of small Debts, and be applied to the Use of the Free-School of the County aforesaid.

June 4th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law.
Sam: Ogle

the great Seal in wax append[t]

4th June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up. Ho.

An Act for ascertaining the Bounds of King and Queen Parish in St. Mary's County, and for making the same, and All-Faiths, compleat Parishes, on the Death of the Reverend Mr. John Urquhart, present Incumbent of All-Faiths Parish, lying in St. Mary's and Charles Counties.

No. 4

[Preamble.]

Whereas by an Act of Assembly made at a Session of Assembly begun and held at the City of Annapolis, on the First Day of May, Seventeen Hundred and Forty-four, entituled, An Act appointing Commissioners for dividing St. Mary's County into four Parishes, and to erect that Part of All-Faith and King and Queen Parish, lying in Charles County, into a distinct Parish, It was enacted, That the County of St. Mary's should be divided into four several Parishes, to become such on the Death or Removal of the then present Incumbents; And whereas the Power given to the Commissioners mentioned in the said Act, was, through some Accident, neglected to be executed, so that at another Session of Assembly, held at the said City of Annapolis the Fifth Day of August, Seventeen hundred and forty five, one other Act was made, Entituled, A supplementary Act to the Act Entituled, An Act appointing Commission-

Liber B.L.C. ers for dividing St. Mary's County into four Parishes, and to erect that Part of All-Faith and King and Queen Parish, lying in Charles
p. 436 County, into a distinct Parish; whereby the Persons therein named, or the major Part of them, were impowered to divide the said County into four Parishes, to take Place as aforesaid; the major Part of which Commissioners did proceed to do the Duty by the last mentioned Act enjoined, and returned a fair Account thereof, as by the said first-recited Act was directed, which appears by their said Proceedings entered among the Records of the said County Court. And whereas the Vestrymen and Church-Wardens and several other of the Inhabitants of King and Queen Parish aforesaid, by their humble Petition to this present General Assembly, have set forth and made appear, that the Line, which by the said Proceedings of the Commissioners aforesaid, was directed to run from Major Barnes's Mill, by the Plantation, and near the Dwelling-House of Dennis Tippetts, as the dividing Line between the said King and Queen and All-Faiths Parish, and which has been lately run, and appears to be North forty two Degrees and a half West, to the Extremity of the said County, does not leave to the said King and Queen Parish a proportionable Number of taxable Inhabitants of the said County, as was by the first recited Act directed, but that if the Line from Major Barnes's Mill was, instead of running as aforesaid, enacted to run North thirty six Degrees West, those Families which have for a very long Time been in the said Parish would remain so, and the Petitioners have in their Parish about a fourth Part of the Taxables within the said County and All-Faith Parish, be on Mr. Urquhart's Death as good to his Successor as that of King and Queen; And have therefore prayed that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the Death or Removal of the Rev. Mr. Urquhart, present Incumbent of All-Faith Parish, the said
[King & Queen and All Faith Parishes to be divided.] Parishes of King and Queen and All-Faith be divided by a Line to run from the said Major Barnes his Mill North thirty six Degrees West, to the Extremity of said County, and not by the Lines mentioned in the Proceedings of the said Commissioners. And that such Line shall, from and after the Death or Removal of the said Mr. Urquhart, be and remain the dividing one between the said Parishes for ever.

And in order to make the two Parishes of All-Faith and King and Queen severally compleat, on the Death or Removal of the Rev. Mr. Urquhart, if either of them should happen during the Life of the Rev. Mr. Debutts; It is also prayed that it may be enacted,

And be it Enacted by the Authority, Advice and Consent aforesaid, That if it should so happen, that the said Mr. Urquhart should cease to be Incumbent of the said All-Faith's Parish, living the said Mr. Debutts, then and in such Case those Parts of the said Debutts his present Parish, which lye now either in new All-Faith or King and Queen Parish, shall be severally held by the several Incumbents of the said two Parishes, during the Life-time of the said Mr. Debutts, and that that Part of All-Faith Parish, which, as it now stands, lyes below St. Thomas's Creek, be added during said Debutts's Incumbency to that Part of it which he now holds, but that after the Death or Removal of the said Mr. Debutts, the Parishes shall stand divided in all Things as by the said Commissioners have been directed, except only the Line as aforesaid running from Major Barnes his Mill, between King and Queen and All-Faith Parishes. Liber B.L.C.

June 4th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law.
Sam: Ogle

the Great Seal in wax appendant

4th June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up. Ho.

An Act to Impower and Direct the Clerk of Ann Arundel County Court to enter and Record among the said County Records a Deed of Bargain and Sale from William Mitchel, Edward Mitchel and Grace his Wife to Mordecai Moore deceased. No. 5 [Private Act.]

Whereas Samuel Preston Moore, Margaret Moore, Richard Moore, Mordecai Moore, Thomas Moore and Charles Moore Grandchildren to Mordecai Moore late of Ann Arundel County deceased by their Humble Petition to this Present General Assembly have set forth that their Grandfather Mordecai Moore on the seventeenth day of August Seventeen Hundred and Eleven for the Consideration of Twenty five Pounds Sterling Purchased from a Certain William Mitchel Edward Mitchel and Grace his Wife the Moiety of a Tract of Land lying in Ann Arundel County called Mitchells Chance Containing two Hundred and five Acres and on the same day by Deed of Bargain and Sale had the same Conveyed to him and Acknowledged as the Act of Assembly in such Cases directs, but through Mistake or Forgetfullness Neglected to get the said Deed Recorded by which means they the said Petitioners to whom the same Land is Devised will Intirely be Divested of their Right unless they have Relief, And Whereas the Petitioners aforesaid Obtained an Act of Assembly in August Session in the Year One Thousand seven Hundred and forty five to Impower the Clerk of Ann Arundel County Court to Receive and Record the paid Deed notwithstanding which Act of Assembly aforesaid the said Deed p. 437

Liber B.L.C. hath hitherto been omitted to be Recorded and forasmuch as it appears to this Present General Assembly that the Allegations set forth in the Petition afs[d] are True and that the Consideration Money for the Land aforesaid hath been really and Bona fide paid and Publick Notice given of the Petitioners Intentions to Apply to the Assembly for Releif in the Premisses, It is therefore Humbly prayed that it may be Enacted, And Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advise and Consent of His Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Clerk of Ann Arundel County Court aforesaid for the time being shall and may and he is hereby Authorized and required to receive the Deed aforesaid Executed by the aforesaid, William Mitchel, Edward Mitchel and Grace his Wife to Mordecai Moore deceased into his Office and the same to enter on Record amongst the Records of the same County together with the Acknowledgement thereon and that the same Deed being so Recorded and entered within Six Months from the end of this present Session of Assembly shall be and is hereby Declared and Enacted to be as good and Valid in Law to all Intents Constructions and Purposes whatsoever as if the same Deed had been Recorded according to the directions of the Act of Assembly in Force at the time of Perfecting the same the Neglect or Omission aforesaid or any other matter or thing to the Contrary Notwithstanding, Saving to his most Sacred Majesty his Heirs and Successors to the Right Honourable the Lord Proprietary his Heirs and Successors and to all Bodys Politic or Corporate and all others not mentioned in this Act their several and Respective Rights

June 4th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle

the Great Seal in wax appendant.

4th June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up. Ho.

No. 6 An Act impowering the Justices of Worcester County, to levy on the taxable Inhabitants of All-hallows Parish in the said County, a Sum not exceeding Eighty thousand Pounds of Tobacco, for the Uses therein mentioned.

[Preamble.] Whereas the Vestrymen, Church-Wardens and sundry of the principal Inhabitants of the Parish of All-hallows in the County of Worcester, have, by their humble Petition to this present General Assembly, set forth, That the Parish Church for Preaching and Propagating the Protestant Religion as by Law established, standp. 438 ing in Snow-Hill Town, within the Parish and County aforesaid, being very ancient is much gone to decay, so that the Petitioners

conceive it is not worth repairing, and that it is much too small for Reception of the Parishioners when assembled to serve God, That the Number of the Inhabitants in the aforesaid Parish, at the Time of erecting said Church, did not amount to Four hundred, and that now they are upwards of Fourteen hundred, and still continue to encrease; and in order to have a new Church erected near the same Place, of a larger Size, and with more Conveniency for the Service of Almighty God, they humbly pray that an Act may pass to levy on the Taxables of the Parish aforesaid, a Quantity of Tobacco sufficient to erect and finish a Brick Church for the Use of the said Parish; which being thought reasonable, It is prayed that it may be Enacted, Liber B.L.C.

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Worcester County for the Time being shall, and may, and they are hereby authorized and directed, on the Application of the Vestrymen and Church-Wardens of All-hallows Parish in Worcester County aforesaid, to levy and assess upon the taxable Inhabitants of the said Parish, a Quantity not exceeding Eighty thousand Pounds of Tobacco, by five annual and equal Assessments; which said Sum, when so assessed and levied, shall be collected by the Sheriff of the said County for the Time being, who is hereby authorized and directed to collect the same, and shall have for such Collection after the Rate of Five per Centum for the same; and the said Tobacco when so collected shall by the said Sheriff be paid to the said Vestrymen and Church-Wardens, who are hereby authorized and required to apply the same towards building, finishing and compleating the said Parish Church, in such Manner and Form as to the said Vestrymen and Church-Wardens for the Time being, or the major Part of them, shall seem just and reasonable. [Justices of Worcester County impowered to levy 80,000 wt. Tobacco, for building the Parish Church of All-hallows.]

And whereas 'tis represented to this General Assembly, that the Ground laid out and allotted for the public Use in said Town, would be much more proper and convenient to fix and place the Church on for the Parish aforesaid, than the Place where the old Church now stands;

Be it therefore Enacted by the Authority, Advice and Consent aforesaid, That the said Vestrymen and Church-Wardens of All-hallows Parish are hereby impowered and required to erect and build such Parish Church, on part of the Spot of Ground which was allotted and laid out for public Use. [Where to be built.]

And be it further Enacted, That the Spot whereon the old Church now stands, shall be applied to such public Use as the Commissioners of the said Town, appointed by the said Act, shall think fit and direct; Any Law to the contrary notwithstanding.

Liber B.L.C. p. 440

public Offices, or cause or suffer any Person or Persons to take, remove or carry out of their respective public Offices, any Books, Papers or other Records to their own Houses, or to any other Place, upon any Pretence whatsoever, and the same so keep or cause or suffer to be kept out of their respective public Offices, at any Time between the Hours of Eleven at Night and Six in the Morning, under Penalty of Ten Pounds Current Money for every Offence; one Moiety thereof to the Informer, or to him or her that shall sue for the same, the other Moiety to be applied to the Use of the School of the County wherein the Offence shall be committed; to be recovered in any Court of Record in this Province, by Action of Debt, Bill of Indictment, Plaint or Information, wherein no Essoin, Protection or Wager of Law, or more than one Imparlance, shall be allowed." And whereas several of the County Clerks within this Province, in Behalf of themselves and others of the said County Clerks, have humbly represented to this present General Assembly, that by the above-recited Act, they and all other the County Clerks aforesaid, are laid under such Hardships that it is not practicable for them to execute that Duty, inasmuch as a great Part of their Business must of Necessity be done in the Winter Season, and that their Dwellings are at some Distance from their several and respective Court-Houses. This present General Assembly having taken the said Representation into Consideration, and being well satisfied of the Truth of the Facts mentioned therein, are willing and desirous to remove the Hardships complained of;

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the Tenth Day of July next, it shall and may be lawful to and for the several and respective County Clerks within this Province, to take, remove or carry out of their respective public Offices, the last recording Book for Judgments by them kept in their several and respective public Offices, together with the four last Courts-Dockets and Papers next preceeding the Time of such taking out, and the same to keep at their own Houses, or any other Place more suitable to their Conveniency within the County, for and during such Time as to them, or any of them, shall seem necessary, without being liable to incur the Penalty in the above-recited Act mentioned, any thing therein contained to the Contrary thereof in any wise notwithstanding.

[County Clerks may remove some of their Records.]

And be it further Enacted by the Authority aforesaid, That the several and respective County Clerks within this Province, shall be and they are hereby obliged to attend at their several and respective County Court Houses one or more Days in every Week, to be appointed and published by the several County Courts next after the Commencement of this Act, and to remain there, either by them-

[Obliged to attend their Offices one Day in a Week.]

selves or Deputy, from Nine of the Clock in the Forenoon until Sun-set, and then and there give all possible Dispatch to the necessary Business of such Person or Persons as shall apply to them for the same. And that every County Clerk who shall neglect or delay to perform his Duty herein, shall forfeit and pay the Sum of Six hundred Pounds of Tobacco; one half whereof to the Use of the County School, and the other half to him, her or them that shall sue for the same, to be recovered before a single Magistrate of the County where such Forfeiture shall happen, as in Case of small Debts. Liber B.L.C. [Penalty for Non-Attendance.]

Provided always, and be it Enacted, That nothing in this Act shall extend, or be construed to extend, to prevent any Clerk from being chargeable for any Misfeasance or Neglect in his Office, in the same Manner as if this Act had never been made. [Proviso.]

This Act to continue for Three Years, and to the End of the next Session of Assembly which shall happen after the End of the said Three Years. [Continuance.]

June 4th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle

the Great Seal in wax appendant

4th June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up. Ho.

An Act impowering the Justices of Queen-Anne's County, to levy on the taxable Persons of Christ's-Church Parish in the said County, the Sum of Thirty seven thousand one hundred Pounds of Tobacco, for repairing and enlarging their Parish Church. No. 8 p. 441

Whereas the Rector, Vestrymen, Church-Wardens and sundry Parishioners of Christ's-Church Parish in Queen-Anne's County, by their humble Petition to this General Assembly, representing, that their Church is not only much too small for the Congregation which usually resorts thereto, quietly and commodiously to perform their religious Exercises, but is also very much out of Repair, have prayed that an Act may pass for the Assessment of Thirty seven thousand one hundred Pounds of Tobacco on the taxable Inhabitants of the said Parish for repairing and enlarging the same; [Preamble.]

Be it therefore enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Queen-Anne's County shall be and they are hereby impowered and required, on the Application of the Vestry and Church-Wardens of Christ's-Church Parish in Queen-Anne's County, to assess and levy upon the taxable Inhabitants of the said Parish, the Sum of Thirty seven thousand one hun- [Queen Anne's County Justices to levy 37,100 wt. of Tobacco.]

Liber B.L.C. dred Pounds of Tobacco, and the Salary of Five per Centum to the Sheriff for collecting the same, at three equal Assessments, which said Sum of Thirty seven thousand one hundred Pounds of Tobacco shall be collected by the Sheriff of the said County, in the same Manner as other public Dues are collected, and shall be by him paid to the Vestry and Church-Wardens of the said Parish for the Time being, who are hereby authorized and impowered to apply the same to repairing and enlarging the said Church, in such Manner as to them shall seem most necessary and convenient, and to no other Use or Purpose whatsoever; Any Law, Statute, Usage or Custom to the Contrary notwithstanding.

[How Applied.]

June 4th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle

the Great Seal in wax appendant

4th June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up. Ho.

No. 9 An Act relating to that Part of King and Queen Parish which lyes in Charles County, and was lately severed by the Death of the Reverend Mr. John Donaldson.

[Preamble.] Whereas by an Act of Assembly lately passed at a Session of Assembly begun and held at the City of Annapolis, the First Day of May, Seventeen hundred and forty four, it was among other Things enacted, "That the County of St. Mary's should be divided into four Parishes, to become such on the Death or Removal of the then several Incumbents:" And whereas at that Time a Part of Charles County was held as Part of King and Queen Parish, and the whole enjoyed by the said Mr. Donaldson; and it was also thereby enacted, That after the Death or Removal of the said Mr. Donaldson, and the Reverend Mr. Urquhart, the then present Minister of All-Faith Parish, then lying in said St. Mary's and Charles Counties, those Parts of the said two Parishes should become one, and called by the Name of Trinity Parish: And whereas the said Mr. Donaldson is lately dead, living the said Mr. Urquhart, whereby that Part of Charles County, which was in King and Queen, is at present without the Bounds of any Parish, and hath not any Vestrymen or Church-Wardens, altho' there is by Law a Warehouse established to be therein. And forasmuch as many of the principal Inhabitants of that Part of Charles County which was lately in King and Queen Parish, have, by their humble Petition to this General Assembly, set forth the before mentioned Facts, and prayed that an Act might pass to enable them to choose Vestrymen and Church-Wardens for the due Execution of the Inspection-Law, and other Parish Purposes, which is thought reasonable to be granted:

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful for the several Protestant Freeholders of that Part of Charles County, which was lately in King and Queen Parish, at any Time between the First Day of September next, and the Twentieth Day of the same Month, on public Notice being given them to meet at Newport Church, and choose Eight competent Protestant Freeholders, Six of them to serve as Vestrymen, and Two as Church-Wardens, who, when they are so chosen, shall take the several Oaths to the Government, and of Office, and may then proceed to execute all the Powers and discharge the Duty of Vestrymen and Church-Wardens, according to the Laws and Usage of this Province. And that from and after such Election and Qualification, the same Persons shall, to all Intents and Purposes, be a qualified Vestry, as much as if it was a full and compleat Parish, and an Incumbent therein.

Liber B. L. C. [Choosing of vestrymen, &c. at Newport Church.]

p. 442

And whereas the several taxable Persons in that Part of Charles County which was lately in King and Queen Parish, have formerly paid the full Proportion of the Money expended for the Building of the Brick Church at Chaptico in St. Mary's County, which is now in King and Queen Parish, and many of the Inhabitants of Charles County aforesaid have Pews or Parts of Pews in the same Church, and that now it is thought reasonable that those People who have so paid towards such Building should be reimbursed a Part of the same Money so by them advanced;

Be it therefore Enacted by the Authority aforesaid, That the Sum of Two hundred twenty five Pounds sixteen Shillings Currency, be levied by the Justices of St. Mary's County Court on the taxable Inhabitants of King and Queen Parish, by three equal Assessments, for collecting of which the Sheriff of St. Mary's County shall be allowed the Sum of Five per Cent. thereon, and no more, and which said Two hundred twenty five Pounds sixteen Shillings shall and may be paid to the Order of the Vestrymen and Church-Wardens of that Part of the said Parish which lyes in Charles County, to be applied by them towards the Building a new Church in that Part of the said Parish which is in Charles County aforesaid, when the same shall become, by the Death or Removal of the said Mr. Urquhart, a distinct Parish.

[225 l. 16 s. to be levied for building a New Church.]

And be it further Enacted by the Authority aforesaid, That those Persons living in Charles County who are in Possession of any the Pews in the said Church at Chaptico, shall, on their being repayed by the Vestry and Church-Wardens of King and Queen Parish, the Money they paid for such Pews or Parts of Pews, release their Right to the said Pews or Parts of Pews; which Pews may afterwards be disposed of, by the said Vestrymen and Church-Wardens, to any the

Liber B.L.C. Freeholders in the said Parish, who at present have no Right to any Pew or Pews in the said Church.

June 4th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seale in wax appendant

4th June 1748
Read and Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up. Ho.

No. 10 [Private Act.] An Act to remedy some Defects in an Indenture of Bargain and Sale made and Executed by Charles Carroll of Annapolis Surgeon and John Bradford of Prince Georges County Gentleman of the one part and Daniel Carroll of Marlborough in Prince George's County Merchant of the other part.

Whereas it is upon an Examination into the Several Facts set forth in the humble Petition of Stephen Lewis of the Colony of Virginia to this present General Assembly by sufficient Evidence made appear That a Certain John Bradford late of Prince Georges County in this Province had due to him Five Hundred Acres of Land within this Province by Virtue of a Warrant for that Quantity granted him by Renewment And That pursuant to the aforesaid Warrant a Survey was made upon a Tract or Parcel of Land Scituate lying and being in Prince Georges County aforesaid by the Name of Strife containing by Metes and Bounds and laid out for Five Hundred Acres more or less according to Certificate thereof returned into his Lordships Land Office bearing date on or about the
p. 443 Twentieth Day of August Seventeen Hundred and Twenty eight That the said John Bradford by his Indenture of Bargain and Sale bearing Date on or about the twenty ninth Day of July seventeen Hundred and Thirty two and duly Acknowledged and Recorded in the Provincial Land Records did for the Consideration of one Hundred and fifty one Pounds thirteen Shillings and four pence Sterling Mortgage (amongst other things) the aforesaid Tract of Land called Strife to Charles Carroll of the City of Annapolis Esquire in Fee Simple, That the aforesaid John Bradford by his Indenture of Bargain and Sale bearing date on or about the fifteenth Day of October Seventeen Hundred and Thirty three and duly Acknowledged and Recorded amongst the Land Records of Prince George's County aforesaid did for the Consideration of Ninety Pounds Sterling convey and make over (amongst other things) to Charles Carroll of the City of Annapolis Surgeon in Fee-Simple the aforesaid Tract of Land called Strife, That after the making the Several Conveyances aforesaid the said John Bradford Obtained out of his Lordships Land Office his said Lordships Grant or Patent bearing Date on or about the fourteenth Day of June Seventeen Hundred and Thirty four under the Great Seal for the aforesaid Land called

Strife agreeable to the Certificate aforesaid thereof to him the said John Bradford and his Heirs, That after Obtaining the aforesaid Patent by John Bradford as aforesaid the said Charles Carroll Esquire by his Deed Poll bearing date on or about the seventh day of September Seventeen Hundred and Thirty six and also duly Acknowledged and Recorded amongst the Provincial Land Records did for the Consideration of one Hundred and Eighty three Pounds sixteen Shillings Sterling Assign and make over to him the said Charles Carroll Surgeon his Heirs and Assigns (amongst other things) All his the said Charles Carroll Esquire his Right and Estate in and to the aforesaid Tract of Land called Strife in as full and Ample manner as he the said Charles Carroll Esquire could or might have held and Enjoyed the same by Virtue of the aforesaid Mortgage That by Indenture bearing Date on or about the Twentieth Day of March Seventeen Hundred and Thirty six between the aforesaid Charles Carroll Surgeon and the aforesaid John Bradford of the one part and a Certain Daniel Carroll of Marlborough in Prince Georges County aforesaid of the other part and Executed by both the said Charles Carroll Surgeon and the aforesaid John Bradford but Acknowledged only by the said Charles Carroll Surgeon and duly Recorded amongst the Land Records of Prince Georges County aforesaid the aforesaid Charles Carroll Surgeon for the Consideration of One Hundred and twenty eight Pounds twelve Shillings and six Pence Sterling to him paid by the said Daniel Carroll did (at the Special Instance and Request of the aforesaid John Bradford testified by his being party thereto and his Sealing and Delivery of the said Indenture) bargain and sell to the said Daniel Carroll his Heirs and Assigns (amongst other things) the aforesaid Tract of Land called Strife That the aforesaid Daniel Carroll by Indenture of Lease and Release acknowledged and recorded and bearing Date respectively on or about the twenty third and twenty fourth Days of March Seventeen Hundred and forty two for the respective Considerations of five Shillings Sterling and One Hundred and sixty five Pounds Sterling did bargain sell and release to the aforesaid Stephen Lewis his Heirs and Assigns forever the aforesaid Tract or Parcel of Land called Strife, That the legal Estate and Interest in the aforesaid Tract or Parcel of Land called Strife is by Virtue of the Patent aforesaid so as aforesaid taken out in the Name of the said John Bradford still Vested in the said Bradford in Fee notwithstanding the aforesaid several Conveyances so as aforesaid made of the said Land contrary to the true intent and meaning of all Parties to the same, That the several Sums of Consideration Money have been Regularly and Bona fide paid and Satisfyed and the whole Transaction is fair and upright without any Badges or Marks of Fraud whatsoever And That the said John Bradford is now and has for some time past been Absent out of this Province in Parts unknown Wherefore it is Prayed that it may be Enacted And Be it

Liber B.L.C.

Liber B.L.C. p. 444 Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of His Lordship's Governor and the upper and Lower Houses of this Present General Assembly and the Authority of the same That the aforesaid Indenture of Bargain and Sale mentioned to be made between the aforesaid Charles Carroll Surgeon and the said John Bradford of the one part and the aforesaid Daniel Carroll of the other part bearing Date on or about the aforesaid twentieth day of March Seventeen Hundred and thirty six shall and be and shall be deemed construed and taken to have been and to be from the aforesaid Date thereof of Sufficient force and Effect Strength and Operation in Law to all Intents, Constructions and Purposes to bargain sell Transfer and Convey from the aforesaid John Bradford and his Heirs the aforesaid Tract of Land called Strife and his Right and Estate therein to the said Daniel Carroll his Heirs and Assigns forever And That the said Land and his the said John Bradford's Right and Estate therein did thereby from the aforesaid Date thereof pass accordingly Any Act Law Statute Usage or Custom to the Contrary thereof in any wise notwithstanding Saving to the said Right Honourable the Lord Proprietary his Heirs and Successors and to all others Claiming or to Claim by from or under him or them his and their Several and Respective Rights And also to all others not herein before described who have or claim Title before the aforesaid twentieth day of March Seventeen Hundred and Thirty six their several and Respective Rights to the aforesaid Tract or Parcel of Land called Strife or any part or Parcel thereof.

June 6th 1748
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seal in wax appendant

6th June 1748
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross. Ct. Up. Ho.

No. 11 An Act continuing an Act entituled, An Act for raising Three Pence Sterling per Hogshead on all Tobacco to be exported, for purchasing Arms and Ammunition, and for an immediate Supply of Arms for the Defence of this Province.

[Continuation of an Act.] Be it enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the abovementioned Act entituled, An Act for raising Three Pence Sterling per Hogshead on all Tobacco, to be exported, for purchasing Arms and Ammunition, and for an immediate Supply of Arms for the Defence of this Province, made at a Session of Assembly begun and held at the City of Annapolis, the Sixteenth Day of May, Anno Domini, One thousand seven hundred forty and

seven, be and is hereby continued and shall remain and be in full Force, until the Twenty ninth Day of September, in the Year One thousand seven hundred and forty nine, and no longer. Liber B.L.C.

And whereas it is absolutely necessary in these Times of real Danger, to have a large Quantity of Arms and Ammunition within this Province, for the common Defence and Security thereof,

Be it also Enacted, That the Money already raised, and hereafter to be raised by the above recited Act, and to be raised by virtue of this Act, shall and is hereby required to be forthwith applyed for the Purchase of Arms and Ammunition, and to no other Use or Purpose whatsoever, except the Salaries to the Treasurers, Naval Officers, and Armourer in the said Act mentioned; and that the Governor and Council for the Time being shall dispose of the same for such Arms and Ammunition accordingly, and direct that the said Arms and Ammunition be imported into this Province as soon as possible. [Governor and Council to purchase Arms immediately.]

June 7th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

The Great Seal in wax appendant

7th June 1748
Read and Assented to by the Upper House of Assembly.
Signed p Order
J Ross Ct. Up. Ho.

An Act granting a further Time for surveying and laying out anew a Town in Worcester County, called Newport Town, and confirming the Privileges granted by the former Act to the said Town. No. 12 p. 445

Whereas it is represented to this General Assembly, that in Pursuance to the Directions and Authority given in an Act made at a Session of Assembly, begun and held at the City of Annapolis the First Day of May, Anno Domini, Seventeen hundred and forty four, entitled, An Act to enable Commissioners therein named to lay out forty Acres of Land into eighty Lots for a Town on Indian River in Worcester County: As also forty Acres of Land into eighty Lots at the Head of Asseteague Creek, at a Place commonly called the Trap for a Town; the Commissioners therein named, or the major Part of them, together with the Surveyor of Worcester County, did proceed and actually lay out forty Acres of Land at the Head of Asseteague Creek, at the Place in the Act mentioned, by the Name of Newport Town; but that the Surveyor of the said County upon performing his Part of Duty as required and directed by the said Act, refused to stake out and distinguish the several and respective Lots in the said Town, or to pay and satisfy the Chain-Carriers for their Service. And whereas it is further represented to this General Assembly, that an Act passed at a Session of Assembly, begun and held at the City of Annapolis the Fifth Day of August, Anno Domini, Seventeen hundred and forty five, entituled, [Preamble.]

Liber B.L.C. A supplementary Act to the Act entituled, An Act to enable Commissioners to lay out forty Acres of Land into eighty Lots for a Town on Indian River in Worcester County; as also forty Acres of Land into eighty Lots at the Head of Asseteague Creek at a Place commonly called the Trap for a Town; whereby the Surveyor of Worcester County, for the Time being, was authorized, impowered and obliged to lay out, stake, mark and number every Lot distinctly in the Town called Newport Town in the County aforesaid, as well as bound the Streets, Lanes and Alleys. And that the said Surveyor should pay out of the Sum allowed him by the former Law for laying out the said Town, the several and respective Chain-Carriers, that had been or should be employed, and further provided that the several Matters and Things to be done by Virtue of the said Supplementary Act should be finished and compleated on or before the First Day of May, which should be in the Year Seventeen hundred forty six; but that by sundry Delays, occasioned by Sickness of the Commissioners and other unavoidable Accidents, the Time elapsed before any thing could be done in Pursuance of the said Act, by means whereof the Bounds of the said Town and Lots are still uncertain. For Remedy whereof,

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Master Samuel Hopkins, John Newble, John Evans, Charles Ratcliff, Edward Franklin, Ebenezer Evans and John Fossett, or the major Part of them, be and are hereby appointed Commissioners, and are, by Virtue of this Act, authorized and impowered, together with the Surveyor of the said County of Worcester for the Time being, or any other Person skilled in surveying, to lay out a-new the said Town called Newport Town, in such Manner as to them the said Commissioners, or the major Part of them, shall seem meet; and that they the said Commissioners, or the major Part of them, shall be and are by Virtue of this Act invested with the same Powers and Authorities in laying out the said Newport Town a-new, to all Intents, Constructions and Purposes whatsoever, as the Commissioners were by the former Law invested.

[Commissioners appointed.]

[Surveyors Duty.] And be it further Enacted, That the Surveyor who shall by the said Commissioners, or the major Part of them, so as aforesaid be employed in laying out the said Town, shall be and he is hereby obliged to lay out, stake, mark, and number every Lot distinctly in the said Newport Town, when the same shall be laid out a-new by the Commissioners aforesaid, as well as bound the Streets, Lanes and Alleys in the said Town.

p. 446

[Owners Title Confirmed] And be it further Enacted, That all the Privileges, Advantages and Securities given by the afore-mentioned recited Acts to the said Newport Town, shall remain and be, to all Intents and Purposes,

as fully, clearly and absolutely held and enjoyed by the Inhabitants of the said Town, or Owner or Owners of Lots therein, as if the same had been laid out at first, or by Virtue of either of the aforesaid Acts. Liber B. L. C.

Provided always, That the several Matters and Things to be done by Virtue of this Act, be finished and compleated at some Time on or before the First Day of May, which shall be in the Year of our Lord God, One thousand seven hundred and forty nine. [Proviso.]

June 7th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seal in wax appendant

7th June 1748
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up. Ho.

An Act for dividing St. Paul's Parish in Queen Anne's and Talbot Counties, and for erecting a new Parish thereout, by the Name of St. John's Parish. No. 13

Whereas divers Inhabitants of St Paul's Parish in Queen Anne's and Talbot Counties, by their humble Petition to this General Assembly, representing, that the said Parish is very large and populous, and the annual Income thereof, amounting to near Eighty thousand Pounds of Tobacco, they humbly conceive sufficient decently to support and maintain two Incumbents, have prayed that a Law may pass for dividing the said Parish, and for erecting Part thereof into a new Parish, so as not to affect the Interest of the present Incumbent, the Reverend Mr. James Cox, but that he continue to officiate in both the said Parishes, and to receive the Incomes and Profits thereof until his Death or Removal from St. Paul's Parish aforesaid. [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this present Session, all that Part of St. Paul's Parish in Queen Anne's and Talbot County, lying within the Lines and Bounds herein after mentioned and expressed, That is to say, Beginning at the Head of the three Bridges Branch in Queen Anne's County, and running from thence with a strait Line to a small Bridge in the Road from Old Wye Mill to Tuckahoe Bridge, near the Northeast Corner of Ferdinando Callaghan's Plantation, thence with the said Road to Tuckahoe Bridge, thence down the East Side of Tuckahoe Creek binding therewith to Choptank River, and then binding therewith to the Division Line between St. Paul's and St. Luke's Parishes, and then with the several Lines and Bounds of St. Paul's Parish aforesaid to the Head of the three Bridges Branch aforesaid, shall be taken from St. Paul's Parish aforesaid and erected into a new Parish, by the [Bounds ascertained.]

Liber B.L.C. Name of St. John's Parish, and shall, from and after the Time aforesaid, be deemed, reputed, adjudged and taken for St. John's Parish, and not as Part or Parcel of St. Paul's Parish aforesaid, and that the Lines and Courses aforementioned shall always be deemed, taken and reputed to be the undoubted Bounds and Lines to divide the Parishes aforesaid; and that the Inhabitants of St. John's Parish aforesaid shall have and enjoy all such Benefits, Privileges, Powers and Authorities in every Respect as the Inhabitants of any other Parish within this Province now have or hereafter may have or enjoy.

And be it Enacted by the Authority aforesaid, That the Freeholders of the last mentioned Parish, at a certain Day to be by them
p. 447 appointed, shall have full and ample Power to elect and make choice
[Vestrymen and Church-Wardens to be chose.] of Six select Vestrymen, and two Church-Wardens, and the same to alter and renew at such Times and in such Manner as the Laws of this Province do direct in other Parishes. And that the said Vestrymen and Church-Wardens shall be vested with the same Powers, Privileges and Authorities as Vestrymen and Church-Wardens of other Parishes within this Province are vested with.

And be it further Enacted by the Authority, Advice and Consent aforesaid, That it shall and may be lawful for the Reverend Mr. James Cox, the present Incumbent of St. Paul's Parish aforesaid, to continue to officiate and serve as Incumbent in both the said Parishes so divided as aforesaid, and to receive the Incomes and
[Continuation of the present Incumbent.] Profits thereof during his natural Life, or so long as he shall continue Incumbent of St. Paul's Parish aforesaid, or until he shall find Cause voluntarily to quit one or other of the said Divisions, as if this Law had never been made: Any Law, Statute, Usage or Custom, or any thing herein before contained, to the Contrary notwithstanding.

June 10th 1748
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seal in wax appendant

10th June 1748
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up. Ho.

No. 14 An Act for taking off Part of Prince George's County, and adding it to Charles County.

[Preamble.] Whereas it is represented to this present General Assembly by sundry Freeholders in the lower Part of Prince George's County, that they labour under many Inconveniencies by their being obliged to attend Prince George's County Court, at so great a Distance from their respective Habitations; and it appearing to this General Assembly that such Hardships would be removed were they separated from

Prince George's County, and made a Part of Charles County, and that Prince George's County, after such Separation, will not only be more Compact than it is at present, but would still retain a sufficient Number of Taxables therein to defray the necessary Charges thereof, it is therefore humbly prayed that it may be Enacted, Liber B.L.C.

And be it enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the Tenth Day of December, in the Year One thousand seven hundred and forty eight, the Land lying at present in Prince George's County, and contained within the Bounds following, viz. by a Line drawn from Mattawoman Run in the Road commonly called the Rolling Road, that leads from the late Dwelling Plantation of Mr. Edward Neale through the lower Part of Mr. Peter Dent's Dwelling Plantation, until it strikes Potomack River, at or near the bounded Tree of a Tract of Land whereon John Beall Junior now lives (standing on the Bank of the aforesaid River at the lower End of the aforesaid Beall's Plantation) then with the River to the Mouth of Mattawoman Creek, shall be and for ever hereafter deemed as a Part of Charles County, and that the Inhabitants thereon already seated or that shall hereafter be seated, shall be and are hereby declared to be the Inhabitants of Charles County, and shall, by Virtue of this Act, be entituled to the same Rights and Privileges within the said Charles County as other the Inhabitants thereof now have or hereafter may have: Any Law, Usage or Custom to the Contrary thereof in any wise notwithstanding. [Bounds and Limits ascertained.]

Provided always, That nothing herein contained shall extend or be construed to extend in any Manner, to hinder or debar any Person or Persons from recovering their just and lawful Debts, Dues or Demands whatsoever, or to stay or hinder any Prosecutions or other Matters already begun, or that shall at any Time before the said Tenth Day of December, in the Year One thousand seven hundred and forty eight, be begun in Prince George's County Court against any the Inhabitants included within the Bounds aforesaid, but that such Prosecution or other Matter or Thing whatsoever may be proceeded in in the same Manner as if this Act had never been made; any thing therein contained or any other Law, Statute, Usage or Custom to the Contrary thereof in any wise notwithstanding. [Proviso as to Law-Suits.] p. 448

Provided always, and it is hereby Enacted, That the Sheriff of Prince George's County shall and may collect and receive the Public and County Levies, and other Dues and Officers Fees which he was impowered to do before the making this Act, at any Time before the last Day of June, in the Year One thousand seven hundred and forty nine, in such Manner and Form, by Execution or otherwise, as the Case shall require, as if the said Part of Prince George's County [Proviso as to Sheriffs Collection.]

Liber B.L.C. herein before mentioned had not been separated from the same, or added to Charles County; Any Law, Statute, Usage or Custom to the Contrary in any wise notwithstanding.

June 10th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct. lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle

the Great Seal in wax appendant

10th June 1748
Read and Assented to by the Upper House of Assembly
Signed p Order
J. Ross Ct. lo. ho.

No. 15 An Act to divide Prince George's County, and to erect a new one by the Name of Frederick County.

[Preamble.] Forasmuch as divers Inhabitants of Prince George's County have, by their Petition to this General Assembly, humbly prayed, that the said County may be divided, and a new County erected out of Part thereof.

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the Tenth Day of December next a new County be and is hereby erected and made out of Prince George's County, the Bounds whereof shall be as followeth, Beginning at the lower Side of the Mouth of Rock Creek, and thence by a strait Line joining to the East Side of Seth Hyat's Plantation to Patuxent River, and that the said Line be run by the Surveyor of Prince George's County, and Trees marked, for which the said Surveyor to be allowed, the same Fees as in other Surveys, one half thereof to be allowed in the Levy of each County; then with Patuxent River to the Lines of Baltimore County, and with the said County to the Extent of the Province, and that all the Land lying to the Westward and Southward of the said Lines be included in the new County aforesaid, and that after the Commencement of this Act the said new County shall be called Frederick County; and the Inhabitants thereof shall have and enjoy equal Privileges with the other Counties of this Province, in sending Delegates to the General Assembly, and having County Courts, Sheriffs, Justices and other Officers and Ministers as is usual in other Counties within this Province: And that the Court House and Prison for Frederick County aforesaid, shall be built in or adjoining the Place commonly called Frederick Town, on the West Side of Monocacy.

[Bounds and Limits ascertained.]

And be it further Enacted by the Authority aforesaid, That Master Nathanael Wickham, jun. Master Thomas Bettys, Master Joseph Ogle, Master William Griffin, Master Edward Sprigg, jun. Master John Kimbell, and Master William Tawneyhill be and are hereby appointed Commissioners for Frederick County aforesaid, and they,

[Commissioners appointed, and Surveyors Duty.]

or the major Part of them, shall be and are hereby authorized and impowered at such Times as they, or the major Part of them, shall think proper, before the Twentieth Day of December next, to meet together at the Place commonly called Frederick Town aforesaid, and buy or purchase from the Owner or Owners of such Land, three Acres whereon to build a Court House and Prison in Frederick County aforesaid, if the Owner or Owners of such Land and the Commissioners aforesaid, or the major Part of them, shall agree for the same; but if the Owner or Owners of such Land and the Commissioners aforesaid, or the major Part of them, shall not agree for the Purchase thereof, or if the Owner or Owners of such Land shall be under the Age of Twenty-one Years or other Disability to sell or convey the same, then the said Commissioners, or the major Part of them, are hereby authorized and impowered to issue a Warrant directed to the Sheriff of Prince George's County, therein requiring the said Sheriff to call to his Assistance the Surveyor of Prince George's County, to survey and lay out the said Quantity of Land, and to summon Twenty-four Freeholders of the said County to appear on the Land to be chosen as aforesaid, at a Time therein to be mentioned, Twelve at least of which said Freeholders shall be impannelled and sworn as a Jury, to enquire who is Owner, and declare the Value of the said Land designed for a Court House and Prison in the County aforesaid, and the Payment or Tender of such their Valuation to the Person who shall be found by such Jury to be Owner of such Land, or to the Guardian of the Owner, if a Minor, or to the Husband of a Feme Covert, if one shall be found to be the Owner, shall invest the Justices of Frederick County, and their Successors, with an Estate in Fee Simple for the Use of such County as aforesaid for ever; which Survey, Valuation, and other Proceedings shall be by the said Commissioners, or the major Part of them, returned, and they are hereby directed and required to return the same in Writing under the Hands and Seals of the said Commissioners, or the major Part of them, and under the Hands and Seals of the said Sheriff and Surveyor, to the next Prince George's County Court, after making the same, which County Court shall, and they are hereby obliged and required to order and direct the Clerk of Prince George's County, and he is hereby obliged in Pursuance of such Order, within two Months thereafter, to record, among the Land Records of such his County, all the aforesaid Proceedings, and which Record being so as aforesaid made, shall be held, deemed and taken, according to the Tenor and Meaning thereof, to all Intents, Constructions and Purposes, as good and effectual as any other Matter of Record whatsoever.

Liber B.L.C. p. 449

[Land to be valued &c.]

[Directions to the Clerk.]

And be it further Enacted by the Authority Advice and Consent aforesaid, That the Justices of Frederick County aforesaid shall, and they are hereby authorized and impowered to assess and levy on the taxable Persons of the same County, in the same Manner as the

[Justices Authorized, &c.]

Liber B.L.C. herein before mentioned had not been separated from the same, or added to Charles County; Any Law, Statute, Usage or Custom to the Contrary in any wise notwithstanding.

June 10th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle

the Great Seal in wax appendant

10th June 1748
Read and Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. lo. ho.

No. 15 An Act to divide Prince George's County, and to erect a new one by the Name of Frederick County.

[Preamble.] Forasmuch as divers Inhabitants of Prince George's County have, by their Petition to this General Assembly, humbly prayed, that the said County may be divided, and a new County erected out of Part thereof.

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the Tenth Day of December next a new County be and is hereby erected and made out of Prince George's County, the Bounds whereof shall be as following, Beginning at the lower Side of the Mouth of Rock Creek, and thence by a strait Line joining to the East Side of Seth Hyat's Plantation to Patuxent River, and that the said Line be run by the Surveyor of Prince George's County, and Trees marked, for which the said Surveyor to be allowed, the same Fees as in other Surveys, one half thereof to be allowed in the Levy of each County; then with Patuxent River to the Lines of Baltimore County, and with the said County to the Extent of the Province, and that all the Land lying to the Westward and Southward of the said Lines be included in the new County aforesaid, and that after the Commencement of this Act the said new County shall be called Frederick County; and the Inhabitants thereof shall have and enjoy equal Privileges with the other Counties of this Province, in sending Delegates to the General Assembly, and having County Courts, Sheriffs, Justices and other Officers and Ministers as is usual in other Counties within this Province: And that the Court House and Prison for Frederick County aforesaid, shall be built in or adjoining the Place commonly called Frederick Town, on the West Side of Monocacy.

[Bounds and Limits ascertained.]

And be it further Enacted by the Authority aforesaid, That Master Nathanael Wickham, jun. Master Thomas Bettys, Master Joseph Ogle, Master William Griffin, Master Edward Sprigg, jun. Master John Kimbell, and Master William Tawneyhill be and are hereby appointed Commissioners for Frederick County aforesaid, and they,

[Commissioners appointed, and Surveyors Duty.]

or the major Part of them, shall be and are hereby authorized and impowered at such Times as they, or the major Part of them, shall think proper, before the Twentieth Day of December next, to meet together at the Place commonly called Frederick Town aforesaid, and buy or purchase from the Owner or Owners of such Land, three Acres whereon to build a Court House and Prison in Frederick County aforesaid, if the Owner or Owners of such Land and the Commissioners aforesaid, or the major Part of them, shall agree for the same; but if the Owner or Owners of such Land and the Commissioners aforesaid, or the major Part of them, shall not agree for the Purchase thereof, or if the Owner or Owners of such Land shall be under the Age of Twenty-one Years or other Disability to sell or convey the same, then the said Commissioners, or the major Part of them, are hereby authorized and impowered to issue a Warrant directed to the Sheriff of Prince George's County, therein requiring the said Sheriff to call to his Assistance the Surveyor of Prince George's County, to survey and lay out the said Quantity of Land, and to summon Twenty-four Freeholders of the said County to appear on the Land to be chosen as aforesaid, at a Time therein to be mentioned, Twelve at least of which said Freeholders shall be impannelled and sworn as a Jury, to enquire who is Owner, and declare the Value of the said Land designed for a Court House and Prison in the County aforesaid, and the Payment or Tender of such their Valuation to the Person who shall be found by such Jury to be Owner of such Land, or to the Guardian of the Owner, if a Minor, or to the Husband of a Feme Covert, if one shall be found to be the Owner, shall invest the Justices of Frederick County, and their Successors, with an Estate in Fee Simple for the Use of such County as aforesaid for ever; which Survey, Valuation, and other Proceedings shall be by the said Commissioners, or the major Part of them, returned, and they are hereby directed and required to return the same in Writing under the Hands and Seals of the said Commissioners, or the major Part of them, and under the Hands and Seals of the said Sheriff and Surveyor, to the next Prince George's County Court, after making the same, which County Court shall, and they are hereby obliged and required to order and direct the Clerk of Prince George's County, and he is hereby obliged in Pursuance of such Order, within two Months thereafter, to record, among the Land Records of such his County, all the aforesaid Proceedings, and which Record being so as aforesaid made, shall be held, deemed and taken, according to the Tenor and Meaning thereof, to all Intents, Constructions and Purposes, as good and effectual as any other Matter of Record whatsoever.

Liber B. L. C. p. 449

[Land to be valued &c.]

[Directions to the Clerk.]

And be it further Enacted by the Authority Advice and Consent aforesaid, That the Justices of Frederick County aforesaid shall, and they are hereby authorized and impowered to assess and levy on the taxable Persons of the same County, in the same Manner as the

[Justices Authorized, &c.]

Liber B.L.C. County Charge hath been in other Counties usually levied, so much Money as shall be necessary to pay for the said Land so as aforesaid to be allotted and chosen, to build a Court House and Prison for the County aforesaid on the said Land, and other Charges incident to the aforesaid Division.

[Proviso.] Provided always, That the said Sums shall not exceed the Sum of Three hundred Pounds Current Money.

And be it also Enacted, That the said Justices shall be and they are hereby authorized and impowered to contract for the building of, and to cause a Court House and Prison to be built in Frederick County on the three Acres of Land aforesaid.

[A Court House and Prison to be built.]

And be it further Enacted by the Authority aforesaid, That the County Court of Frederick County shall begin and be held upon the third Tuesday of the Months of March, June, August and November yearly; and that the Assizes in the said County shall begin and be held upon the Mondays next after the Assizes in Prince George's County; Any Law or Usage to the Contrary notwithstanding.

[Days for holding Courts.]

And be it likewise Enacted by the Authority aforesaid, That the said three Acres shall be laid out in an exact Square, and staked and well bounded, and that the Court House aforesaid shall be built in the Centre of the same Square, and that the Prison or Prisons for the same County shall be built on the South Side of the same Square, within ten Feet of the Southermost out-line of the three Acres aforesaid.

[Land to be butted, &c.]

June 10th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle
the Great Seal in wax appendant

10th June 1748
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

No. 16 p. 450 An Act to enable the Justices of Prince George's County to secure three Acres of Land lying in King George's Parish in said County, whereon a Brick Chapel of Ease is already built for the Use of the Parishioners.

[Preamble.] Whereas by an Act of Assembly of this Province made at an Assembly, begun and held at the City of Annapolis on Tuesday the First Day of May, in the Year of our Lord God, Seventeen hundred and forty four, Entituled, An Act impowering the Vestrymen and Church Wardens of King George's Parish in Prince George's County, to purchase three Acres of Land in the said Parish, to build a Chapel of Ease on, and to impower the Justices of Prince George's County to levy on the taxable Inhabitants of the said Parish in the said County, the Sum of Eight hundred Pounds Current Money, for the Uses therein mentioned. And by Virtue of which Act the said

Sum of Eight hundred Pounds hath been assessed and levied, on the taxable Inhabitants of the said King George's Parish, for the Building aforesaid, and the Vestrymen and Church-Wardens have proceeded to build a Chapel accordingly, on a Tract of Land commonly called Egerton's Manor, belonging to the Heirs of George Noble, deceased, situate near Piscataway in the Parish aforesaid; but inasmuch as some Doubt hath arisen relating to the Title of the Land whereon the said Chapel is built, to prevent the ill Consequence thereof, and in order to secure three Acres of Land whereon the said Chapel is built, to the Parishioners, it is humbly prayed that it may be Enacted, Liber B.L.C.

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Prince George's County, or the major Part of them, shall, and they are hereby impowered and directed, at any Time before the First Day of April, which shall be in the Year of our Lord God, One thousand seven hundred and forty nine, to require the Sheriff of Prince George's County aforesaid, by an Order under their Hands, or the Hands of the major Part of them, to summons Nineteen Freeholders of his County to meet at the said Chapel on the Land aforesaid, as also the Surveyor of the said County, and lay out three Acres of Land, part of the said Tract, or whatever other Tract or Parcel of Land the said Chapel is built upon, in such Manner as that the said Chapel may stand in or near the Centre of the said three Acres of Land, and to cause the same to be well and securely butted or bounded; which said Nineteen Freeholders or the major Part of them, shall, upon their corporal Oaths, value the said three Acres of Land according to the Value thereof, without any Improvements, or as it was worth before the Building the Chapel aforesaid, or the making any Improvement thereto appertaining, and enquire who are the Owner or Owners of the said Land, and what the Name of the Tract is, of which the said three Acres is or shall be part, and the same, with the Value, return under their Hands and Seals, and the Hand and Seal of the Sheriff of the same County, which, with the Certificate of Survey of the Courses of the said three Acres of Land, made under the Hand of the Surveyor of the same County as aforesaid, return to the Justices of Prince George's County aforesaid, at their next County Court after making the same Survey and Valuation aforesaid; and the said Justices are hereby impowered and directed to order the Clerk of the said County to enter among the Records of the said County, the said Return of the Jury, Sheriff and Surveyor aforesaid. [Justices empowered.]

And be it further Enacted by the Authority, Advice and Consent aforesaid, That the Vestrymen and Church-Wardens of King

Liber B.L.C. [Officers how to be paid.] George's Parish aforesaid, shall, out of the said Sum of Eight hundred Pounds, or out of any other Money or Tobacco now belonging, or which hereafter shall belong, to the said Vestry and Church-Wardens, pay to the said Surveyor, Sheriff and Jury, their respective Fees or Allowances, as also pay the owner or Owners of the said three Acres of Land, the Value that shall be put upon the same, by the Jury aforesaid, as also the Clerk of the County for recording the Return aforesaid.

p. 451

[Directions to the Register.] And be it likewise enacted, That the Register of the said Parish or Vestry shall, and he is hereby obliged and directed, to enter in the Register Books of the Parish aforesaid, the Courses of the three Acres aforesaid, or Certificate made out by the Surveyor aforesaid.

And be it likewise Enacted by the Authority aforesaid, That the said Survey, Valuation, Return and Recording in the County Court as aforesaid, and Payment for the same, as herein before directed by this Act, shall vest an absolute Estate in the said Vestrymen and Church-Wardens of King George's Parish aforesaid, and their Successors for ever, in the said three Acres of Land for the Use of the same Parish.

[In Case of Fire, &c.] And be it likewise Enacted, That in case of Fire or Accident to the County Records aforesaid, whereby the Courses or Return may be lost or destroyed, that then and in such Case, a Copy of the Courses of the said three Acres from the Register Book of the said Parish, shall be held and deemed to be the Courses of the same three Acres of Land.

And be it likewise Enacted, That the said Vestrymen and Church-Wardens, or the major Part of them, with the Sheriff and Surveyor aforesaid, shall and they are hereby obliged and directed, to meet at the Place and Time which shall be by the Magistrates aforesaid, or the major Part of them, appointed to execute the several Matters by this Act directed.

[Obligation on the Vestrymen &c.]

June 10th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle

the Great Seal in wax appendant

10th June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up. Ho.

No. 1

An Act continuing an Act entituled, An Act for raising a Duty of three-half-pence Sterling per Hogshead on all Tobacco exported out of this Province, for the Use of the Governor.

Be it enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That one Act of Assembly made at a Session of Assembly

[Continuation of an Act.]

begun and held at the City of Annapolis, the Sixteenth Day of May, Anno Domini, Seventeen hundred forty and seven, entituled, An Act for raising a Duty of three-half-pence Sterling per Hogshead on all Tobacco exported out of this Province, for the Use of the Governor, be, and is hereby, continued, and shall remain and be in full Force, until the Twenty ninth Day of September, in the Year One thousand seven hundred and forty nine. Liber B.L.C.

June 10th 1748
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seal in wax appendant

10th June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

An Act impowering the Justices of Calvert County Court to assess and levy on the taxable Inhabitants of the said County, a Sum not exceeding One thousand Pounds, Current Money; and to impower certain Commissioners therein named, to appropriate the same towards building, finishing and compleating a new County Court-House for the said County. No. 18

Whereas the County Court-House of Calvert County is lately burnt, by means of an unavoidable Accident, and that thereby the said County is at present destitute of a proper and convenient Place to hold their Court in. For Remedy whereof, it is humbly prayed that it may be Enacted, [Preamble.]

And be it enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Calvert County Court for the Time being, shall be, and they are hereby authorized, impowered and required, on their laying their County Levy in November Court, Seventeen hundred forty and nine, to assess and levy on the taxable Inhabitants of the said County, by two equal Assessments, any Sum of Money not exceeding Two hundred and fifty Pounds, current Money, in each Year, exclusive of the Sheriff's Salary of Five per Cent. for Collection thereof; and the same Sum of Money, or such Part thereof as shall so as aforesaid be annually assessed and levied, to pay, by an Order of Court, (which they are hereby authorized and impowered to make) to the Commissioners hereafter named, or the major Part of them, to be by them, or the major Part of them, applyed to the Use and Purpose herein-after-mentioned, and not otherwise. [Justices impowered to levy, &c.] p. 452

And be it further Enacted by the Authority aforesaid, That Master Walter Smith, Master John Mackall, Master John Brome, Master Benjamin Mackall, and Master Gabriel Parker, be, and are

Liber B.L.C. [Commissioners appointed, &c.] hereby appointed Commissioners, and as such, they, or the major Part of them, are, by Virtue of this Act, authorized and impowered to meet at Prince Frederick Town, the Place where the late Court-House did stand, on or before the First Day of September next, and then and there to treat and agree with Undertakers or Workmen to build and finish a Court-House for the said County, of good Brick or Stone, and of the same Dimensions and Form with that lately burnt, and to set the same, or cause the same to be set, on or near the same Place where the former Court-House lately stood; and that after the finishing and compleating of the said Court-House so to be built as aforesaid, Calvert County Court shall be held in such new Court-House, and such new Court-House shall be taken, held and deemed to be the proper Court-House of Calvert County.

And whereas by the Act entituled, An Act for emitting and making current Ninety thousand Pounds, Current Money of Maryland, in Bills of Credit, among other Things it was Enacted, That Five hundred Pounds in each respective County within this Province, should be laid out in building convenient Goals in the respective Counties, near and convenient to the several Court-Houses, under the Direction and Appointment of the several Representatives of the several Counties for the Time being. And whereas the said Five hundred Pounds appropriated by the recited Act aforesaid, for the building a convenient Goal in Calvert County aforesaid, hath not as yet been taken out of the Office of the Commissioners or Trustees for emitting the Bills of Credit, established by Act of Assembly for the Purpose aforesaid, and that it is thought unnecessary by this present General Assembly to have any Prison built for the County aforesaid, until such Time as the Court-House for the said County is finished and compleated;

[500 l. for a Goal to be appropriated.

[Directions to the Courts, &c.] Be it therefore Enacted by the Authority, Advice and Consent aforesaid, That it shall and may be lawful for the Commissioners aforesaid, or the major Part of them, to apply to and receive from the Commissioners or Trustees for emitting Bills of Credit established by Act of Assembly, the said Sum of Five hundred Pounds Current Money, now remaining in their Hands, and for the said Commissioners or Trustees to pay the same to the Commissioners aforesaid, or the major Part of them, or their Order; and that such Sum, when so received by the Commissioners aforesaid, shall be by them, or the major Part of them, applyed towards the building, finishing and compleating the Court-House aforesaid, and not in any other Manner, or to any other Use, Intent or Purpose whatsoever.

And be it further Enacted by the Authority aforesaid, That when the County Court-House for Calvert County is fully and compleatly finished as aforesaid, it shall and may be lawful for the

Justices of the said County Court, for the Time then being, and they are hereby impowered, authorized and required, to assess and levy on the taxable Inhabitants of the said County, by three equal and annual Assessments, the Sum of Five hundred Pounds Current Money, together with the Sheriff's Salary of Five per Cent. for Collection; and when the same is so levied and assessed, to pay the same to the Representatives of the County for the Time being, who are hereby authorized and required to apply the Five hundred Pounds aforesaid to the building, finishing and compleating a convenient Goal in the said County near and convenient to the new Court-House so as aforesaid to be erected, and such Goal shall be taken, held, and deemed to be the proper Goal of Calvert County. Liber B.L.C. [Justices impowered to levy, &c.] [Levying of money for building a Goal.] p. 453

And be it further Enacted by the Authority aforesaid, That the Commissioners so as aforesaid appointed by this Act, shall be, and they are hereby authorized and impowered, to employ some able and skilful Person to overlook the Workman or Workmen so by them employed, in building, finishing and compleating the Court-House aforesaid, and to pay such Person for his Trouble therein, such reasonable Reward, as by them the said Commissioners, or the major Part of them, and the said Person, shall be agreed upon. [Work on Court House to be overlook'd.]

June 10th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seal in wax appendant

10th June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. Ho.

An additional supplementary Act to the Act entituled, An Act relating to Servants and Slaves. No. 19

Whereas by an Act of Assembly of this Province, made at a Session of Assembly begun and held at the City of Annapolis, the Twenty-sixth Day of April, Anno Domini, One thousand seven hundred and fifteen, Entituled, An Act relating to Servants and Slaves, it is Enacted, That any Person or Persons whatsoever that shall, after the Publication of the said Act, wittingly or willingly entertain any Servant or Slave, unlawfully absenting him, her or themselves from their Master, Mistress, Dame or Overseer, shall be fined Five hundred Pounds of Tobacco, for every Night or Twenty-four Hours that such Person or Persons shall give such Entertainment. And whereas it is represented to this General Assembly, that many crafty and ill-disposed Persons knowing that they are not liable to the Payment of the said Fine, unless they entertain such Servant or Slave one whole Night, or Twenty-four Hours, without Intermission, do, by frequently entertaining the Servants and Slaves of the good People of this Province at dead Times of Night, for several Hours together, entice them secretly to make [Preamble.]

Liber B.L.C. away with and embezel the Goods of their Masters or Owners, by carrying them to such Entertainments, and to commit many grievous Disorders and Irregularities against the Peace of his Lordship, and his good Rule and Government, and to the great Damage and Disquiet of many of his Majesty's liege Subjects within this Province: For preventing which Evils for the future;

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That if any Person or Persons, after the End of this Session of Assembly, shall wittingly or willingly entertain any Servant or Servants, Slave or Slaves, unlawfully absenting him, her or themselves from his, her or their Master, Owner or Overseer, or permit or suffer them to be about their Houses or Plantations during the Space of one Hour, or longer, such Person or Persons so entertaining such Servant or Servants, Slave or Slaves, or permitting or suffering them to be about their Houses or Plantations, shall forfeit and pay at the Rate of One hundred Pounds of Tobacco for every Hour each Servant or Slave shall be by him, her or them so entertained or permitted or suffered to be about his, her or their House or Plantation as aforesaid, to be recovered in a summary Way, before a single Magistrate, with Costs, if the Penalty does not exceed Six hundred Pounds of Tobacco; and if it does exceed Six hundred Pounds of Tobacco, then to be recovered by Action of Debt, Bill of Indictment, Plaint or Information, in the County Court where the Offence shall be committed, wherein no Essoin, Protection, Wager of Law, or above one Imparlance, shall be allowed; the one half whereof shall be applyed to the Use of the public School of the County wherein such Forfeiture shall happen, and the other half to the Party grieved, provided he or she shall prosecute for the same within three Months next after the Offence committed, otherwise to the Informer or him or them who shall sue for the same; Provided such Suit be commenced within twelve Months after such Offence committed.

[Entertaining of Servants and Slaves.]

[Penalty.]

p. 454

And be it further Enacted, That if it shall appear to any Magistrate, before whom any Conviction for Breach of this Act shall be had, that the Offender is unable to pay or give good Security for the Penalty aforesaid, it shall and may be lawful for such Magistrate to punish such Offender by Whipping on the bare back with such Number of Stripes, not exceeding thirty-nine for any one Offence, as to him shall seem meet, and to require Security for the good Behaviour of such Offender for and during the Term of six Months then next following.

[If unable to pay the Fine then to be whipt.]

And be it further Enacted, That if any Servant or Slave shall wittingly or willingly harbour or entertain any other Servant or Servants, Slave or Slaves, unlawfully absent from his, her or their

[In case one Servant or Slave entertains another then to be punisht by Whipping.]

Master, Owner or Overseer for and during the Space of one Hour or longer, it shall and may be lawful for any Magistrate, and he is hereby required, upon Complaint to him made, immediately to issue his Warrant against such Servant or Slave so harbouring or entertaining as aforesaid, and upon satisfactory Proof of such harbouring or entertaining, to punish the Offender or Offenders by Whipping with such Number of Stripes, on the bare Back, as to him shall seem proper, not exceeding thirty-nine for any one Offence. Liber B.L.C.

And be it further Enacted, That the several Sheriff's of this Province shall read this Act on the Wednesday in each respective County Court, in full Court, having first given publick Notice of such Reading by Proclamation, at the several Ordinaries or Houses of Entertainment near to the Court-House, on pain of forfeiting Five hundred Pounds of Tobacco for every Omission or Neglect, to be recovered and applyed as aforesaid. [Sheriffs to read this Act every Court.]

This Act to continue for three Years, and to the End of the next Session of Assembly which shall happen after the Expiration of three Years. [Continuance.]

June 10th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam: Ogle

the Great Seal in wax appendant

10th June 1748
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up Ho.

An additional and explanatory Act to the Act entituled, An Act impowering the Commissioners of the County Courts to levy and raise Tobacco to defray the necessary Charges of their Counties and Parishes. No. 20

Whereas by an Act of Assembly of this Province, Entituled, An Act impowering the Commissioners of the County Courts to levy and raise Tobacco to defray the necessary Charges of their Counties and Parishes, made at a Session of Assembly begun and held at the Town and Port of Annapolis, the Fifth Day of September, in the Year of our Lord, One thousand seven hundred and four, the several and respective Commissioners of the several and respective County Courts within this Province, at their several and respective County Courts, to be held for their said Counties, upon Examination had before them of the public Charges of their several and respective Counties, and Allowances by them made of the same, are impowered to levy and raise Tobacco for Payment and Satisfaction of the several and respective County Charges, and the Sheriff's Salary for Collection thereof, by an equal Assessment of the taxable Persons of the said several Counties; [Preamble.]

It is hereby Declared and Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lord-

Liber B.L.C. ship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the said County Commissioners or Magistrates, nor any of them, shall construe or explain the Words Public Charges of their respective Counties, mentioned in the said recited Act, which they are impowered to levy and raise Tobacco for, to extend to any other Purposes than the ordinary, usual and necessary Charges annually arising in their said several and respective Counties.

[Construction of the Words public Charges, &c.]

p. 455 And whereas it may frequently [be] necessary to make Repairs to Court-Houses, Prisons and Bridges, within the several and respective Counties of this Province, as well as to erect and build new and convenient Bridges for the common Benefit and Advantage of the Inhabitants;

[County Courts Power limited in levying Tobacco for the necessary Charges of their Counties.]

Be it Enacted by the Authority, Advice and Consent aforesaid, That it shall and may be lawful for the Justices of the said several and respective Counties, to levy and raise upon the taxable Inhabitants within their said several Counties, for the making, compleating and finishing the necessary small Repairs to Court-Houses, Prisons and Bridges, and for the erecting and building new and convenient Bridges when and as often as Occasion shall require, any Quantity or Quantities of Tobacco not exceeding the Sum of Ten thousand Pounds of Tobacco at any one Time, for the full and compleat repairing of any one County Court-House, and not exceeding the Sum of Six thousand Pounds of Tobacco at any one Time, for the full and necessary Repairs for any one County Prison, and not exceeding the Sum of Eight thousand Pounds of Tobacco at any one Time, for the full and compleat repairing of any one Bridge, and not exceeding the Sum of Twenty thousand Pounds of Tobacco for the erecting and building of any one new Bridge in any one County whatsoever; but that in all and every Case where any larger Sum or Sums of Tobacco, than what are herein before limited and expressed, shall or may be adjudged necessary and requisite by the said several and respective County Justices, to and for any the Uses and Purposes aforesaid, it shall not be lawful for the said several and respective County Justices, nor any of them, to levy or raise any such larger Sum or Sums of Tobacco so adjudged necessary or requisite as aforesaid, upon the taxable Inhabitants of their said several Counties, without having first had and obtained Leave or License for their so doing from the General Assembly of this Province for the Time being.

[Tobacco may be discharged with Money.]

Provided always, That it shall and may be lawful for the several and respective Inhabitants to pay and discharge the said several and respective Sums of Tobacco, so to be levied and raised to and for the Uses aforesaid, in Current Money, in the same Manner as they are enabled to pay and discharge the Public or County Levy.

This Act to continue for three Years, and to the End of the next Session of Assembly which shall happen after the Expiration of three Years. Liber B.L.C [Continuance.]

June 10th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seal in wax appendant

10th June 1748
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up. Ho.

An Act enabling the Commissioners of Charles-Town in Cæcil County, to build an Inspection-House in the said Town. No. 21

Whereas the Commissioners for Charles-Town in Cæcil County, have, by their humble Petition to this General Assembly, represented and set forth, That by an Act of Assembly, passed at a Sessions of Assembly held at the City of Annapolis on the Sixteenth Day of May, Seventeen hundred forty and seven, an Act passed entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; And whereas it is by the said Act directed, That one of the Ware or Inspecting Houses for the County aforesaid, should be erected and built at Charles Town aforesaid; And whereas it is by the said Law enacted, That in Case the Proprietors or Owners of Land will not build the inspecting Houses where they shall be fixed, that then the Justices of the County shall proceed to set a Value on one Acre, or half an Acre of such Land, and any other Person, or such Justices, paying the Owner the Value of such Land so set aforesaid, and building thereon such House, and performing every other Requisite required by the Act aforesaid, shall have an absolute Estate in Fee Simple to such Acre or half Acre of Land, and in Case the said Justices are obliged to build, they are by the said Act impowered to apply to the Commissioners or Trustees for emitting Bills of Credit, for any Sum not exceeding One hundred Pounds Current Money, to enable them to carry on and compleat the said Building. And the said Commissioners further represent to this General Assembly, that the Inspection-House at Charles Town can only be situated on the public Ground, laid out and allotted for the public Use and Benefit of the Inhabitants and Proprietors of the said Town, and which, by a Law now in Force, cannot be disposed of or conveyed: That the said inspecting House must stand contiguous to a large Wharf, already built at the said public Expence, and one half of an Acre of said Land in Fee Simple is of great Value, and would be of infinite Prejudice to the Community of the said Town, if any such Title of their said public Ground were granted to any Person or Persons whatsoever, therefore the Com- [Preamble.] p. 456

Liber B.L.C. missioners for Charles-Town aforesaid, further pray, that forasmuch as the public Stock of the said Town is at present exhausted, by building the aforesaid Wharf, and a large public Granary, that the said Commissioners, or those for the Time being, or the major Part of them, may be impowered, in like Manner as the Justices of each respective County are impowered by the said Act, to draw from the said Trustees of the Loan-Office, a Sum, in Bills of Credit, sufficient to build the said inspecting House only, the Ground and Wharf being already provided; and that the said Commissioners, or those for the Time being, may receive such Rent as is appointed by the said Act to be paid to the Justices aforesaid, and to repay the same to the said Trustees, in the same Manner as the said Justices by the said Act are required and directed, and that when the said Sum shall be repayed into the Loan-Office, that then the Rents and Profits arising from the same, shall be paid to the Commissioners of the said Town for the Time being, and be by them applied to the Benefit of the Public of the said Town only, and to be accounted for by the said Commissioners as is directed by other Acts relating to the said Town. All which are thought by this General Assembly to be just and reasonable;

Be it therefore enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Commissioners of Charles-Town for the Time being, or the major Part of them, be and are hereby impowered to draw out of the Loan-Office, and from the Trustees, in the same Manner as Justices are directed by the last mentioned Act, a Sum, in Bills of Credit, not exceeding Sixty Pounds, for the building an inspecting House only, on the public Ground at Charles-Town, and convenient to the Wharf that is already built: And that the Trustees of the Loan-Office be under the same Obligation to pay the aforesaid Sum of Money to the Commissioners aforesaid for the Time being, or the major Part of them, as they are under by the said Act, to pay the Justices when they shall cause the Houses to be built: And also that the said Commissioners of Charles-Town for the Time being, may receive such Rent as is appointed to be paid by the said recited Act, and that they repay into the Loan-Office, the Sum of Money aforesaid, to be by them taken out for building the said inspecting House, in the same Manner as Justices are directed to pay in any Sums by them to be taken out; but that after the Sum aforesaid to be taken out of the Loan-Office as aforesaid, by the Commissioners aforesaid, or the major Part of them, be returned and paid into the Loan-Office, that then the Rents and Profits that shall arise from such inspecting House, shall be paid to the said Commissioners for the Time being, and be by them applied to the Benefit of the Public of the said Town only, and to no other Use,

[Money to be taken out of the Loan Office to build an Inspection House in Charles-Town.]

[How replaced.]

Intent or Purpose whatsoever, and shall be accounted for by the Commissioners aforesaid, for the Time being, as by other Acts of Assembly relating to the said Town it is directed: Any Law, Statute or Usage to the contrary notwithstanding. Liber B.L.C.

This Act to continue and be in Force as long as the said recited Act for inspecting Tobacco shall continue, and no longer. [Continuation.]

June 10th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seal in wax appendant

10 June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

An Act to enable the Justices of Prince George's County to raise Fifty four thousand Pounds of Tobacco, for the repairing and finishing their Court-House at Marlborough, and for other Purposes therein mentioned. No. 22 p. 457

Whereas it appears to this present General Assembly, that it is necessary a Quantity of Tobacco should be raised for the repairing and finishing of Prince George's County Court-House, situate at Marlborough; [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful for the Justices of the County aforesaid, at the Time of their next taxing their County Levy, to raise upon such of the taxable Inhabitants of the same County, as shall remain and be in that Part of it which will be the same County after Frederick County becomes a distinct one, and that Part of it, which is by a Bill passed this Session, added to Charles County, a Quantity of Tobacco, not exceeding Fifty four thousand Pounds of Tobacco, exclusive of the Sheriff's Salary thereon, and the same to apply to the repairing and finishing the said Court-House. [Justices to levy Tobacco for repairing Prince George's Court House.]

And whereas the last Year the Magistrates of said County assessed upon the Taxables thereof Eight Pounds of Tobacco per Head, in order to repair the same Court-House, and have since contracted for the finishing the same Work, and actually ordered the Sheriff to pay the same to the Person who undertook to do it; which Tobacco the Inhabitants of the said County are charged with by the Sheriff of the said County in their several Accompts, and some of them have actually paid the same;

Be it therefore Enacted by the Authority aforesaid, That it shall and may be lawful for the said Sheriff to proceed to collect and

Liber B.L.C. [Tobacco heretofore levied to be collected.]

receive the said Tobacco from the several Persons charged therewith, and if need be to execute for the same, and the same, when so received, to apply to the Credit of the Order of the said Justices.

And whereas by an Act passed this Session, Frederick County is taken out of Prince George's County, and it is thought reasonable by this present General Assembly, that the Persons who have paid, or may pay, the said Eight Pounds of Tobacco per Head, for the Purpose for which it was assessed, should be reimbursed the same;

Be it therefore Enacted, That it shall and may be lawful for the said Justices of Prince George's County Court, and they are hereby required at the next laying of their County Levy, to assess and raise as much Tobacco, over and above the aforesaid Fifty four thousand Pounds of Tobacco, and the Sheriff's Salary, as will make up the Quantity of Tobacco the said Persons, now residing in Frederick County, have paid; and the same Tobacco, when so levied and raised, the Sheriff of Prince George's County is hereby directed and required to pay to the Order of the Magistrates of Frederick County aforesaid, to be by them applyed for defraying the County Charge of the said Frederick County.

[A further Quantity to be levied for Frederick County.]

And be it further Enacted, That it shall and may be lawful for the Tobacco above-mentioned to be levied and assessed, to be discharged in Current Money, as the Public and County Levy now is or may be discharged.

[May be paid in Current Money.]

And whereas an Act passed this Session for the Division of Prince George's County, and making a new County out of the same, by the Name of Frederick County, there is no Provision made for the Collection of the Public and County Levy, for the Year Seventeen hundred forty and nine;

[Sheriff of Prince George's to collect till the last of June 1749.]

Be it therefore Enacted, That the Sheriff of Prince George's County shall and may collect and receive the Public and County Levies, and other Dues and Officers Fees (which he was impowered to do before the making of this Act) at any Time before the last Day of June, which shall be in the Year, Seventeen hundred forty and nine, in such Manner and Form, by Execution or otherwise, as the Case shall require, as if the said new County, called Frederick County, had not been erected: Any Law, Statute, Usage or Custom to the Contrary in any wise notwithstanding.

June 10th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seal in wax appendant

10th June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up. Ho.

An Act to enable Mrs. Sarah Hollyday, Executrix of James Hollyday, Esq; deceased, to pay the Money therein mentioned. Liber B.L.C No. 23 p. 458

Whereas upon Consideration of the Case of Jonas Green, of the City of Annapolis, Printer, that upon his first coming into this Province in the Years 1738 and 1739, Bills passed both Houses of Assembly for giving him the said Jonas Green, a Salary of Three hundred Pounds for both Years, of which Sum there hath been hitherto paid him only the sum of One hundred and twenty Pounds, as appears; and forasmuch as Mrs. Sarah Hollyday, Executrix of James Hollyday, Esq; late Treasurer of the Eastern Shore, hath in her Hands Money by him the said James received as Treasurer aforesaid; [Preamble.]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the said Mrs. Sarah Hollyday, Executrix of James Hollyday, Esq; shall, and do, and she is hereby impowered and directed, to pay unto the said Jonas Green, his Executors, Administrators or Assigns, the Sum of One hundred and eighty Pounds Current Money; which said Sum shall be allowed to her the said Sarah Hollyday as Executrix aforesaid, as so much paid for the Use of the Public of the Province of Maryland, out of the Money so by him the said James Hollyday received as Treasurer aforesaid, upon producing the Receipt or Discharge of him the said Jonas Green, his Executors, Administrators or Assigns, for the said Sum of One hundred and eighty Pounds Current Money. [Mrs. Hollyday to pay 180 l. to Jonas Green, out of the Treasury.]

June 11th 1748. Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo Ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seal in wax appendant

11th June 1748 Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up Ho.

An Act for altering and establishing certain Warehouses, and for other Purposes therein mentioned. No. 24

Whereas many of the Inhabitants in several Counties of this Province, by their humble Petitions to this General Assembly, have prayed, that Warehouses already appointed might be changed, and others appointed more commodious for the Inhabitants, contiguous to the respective Places prayed for; which being thought reasonable, it is humbly prayed that it may be Enacted; [Preamble.]

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That public Warehouses for the Inspection [Fixing of Warehouses.]

Liber B.L.C. of Tobacco, pursuant to an Act of Assembly of this Province, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, shall be kept at the several Places herein after mentioned, [In St. Mary's.] (That is to say) In the County of St. Mary's, on a Plantation where a certain Gilbert Mackay lives, (in the Room and Stead of that appointed by the before-mentioned Act, at the Head of St. Mary's River, at the usual Landing) and at St. Inegoes, on the Land of Stephen Milburn, under one Inspection; at Wiccocomoco, on the [In Kent.] Land of John Llewellin, under one Inspection. In Kent County, at Worton Creek, on the Land of William Graves, called Buck Neck, under one and the same Inspection with that appointed by the above- [Anne-Arundel.] mentioned Act at Chester Town; In Anne-Arundel County, at the City of Annapolis under one Inspection; At Elk-Ridge Landing on Patapsco River, on the Southern Side of the Old Elk-Ridge, or middle Landing, near to where Thomas Johnson lately dwelt, on the Land now belonging to Philip Hammond, Esq; under one Inspection; at the Head of a Creek commonly called Watkins's Creek, issuing out of West River, on the Land of Thomas Sprigg, (in the Room and Stead of that appointed by the Act aforesaid, at Thomas Sprigg's Point, near where the Ships lye in West River) under one and the same Inspection with that appointed by the Act aforesaid at [Charles.] Pig-Point on Patuxent River. In Charles County, at Chandler's Point, on the Land of William Neale, (in the Room and Stead of p. 459 that appointed by the Act aforesaid, at the Head of Port-Tobacco [Somerset.] Creek, at a Place called Washtank) under one Inspection. In Somerset County, at Barren Creek at the Landing commonly called John Gillis's Landing, (in the Room and Stead of that appointed by the Act aforesaid, to be at the Head of Barren Creek on Nanticoke River, on the Land of William Brown) and at Green Hill Town, near the Church at Green Hill Town, (in the Room and Stead of that appointed by the Act aforesaid to be on Wiccocomoco River, at [Dor- chester.] Day Scott's) under one Inspection. In Dorchester County, at Great Choptank, on the Land of David Melvill, under one Inspection, (in the Room and Stead of that appointed by the Act aforesaid to be at Choptank Bridge, on Peter Rich his Land) at Little Choptank on the Land of Edward White (in the Room and Stead of that appointed by the Act aforesaid to be at Little Choptank on Arthur Whitely's Land.) And that the Warehouse so as aforesaid to be erected on the Land of Edward White be under one and the same Inspection with that appointed by the Act aforesaid to be at the Town of Plymouth on Philips's Land; at Hunting Creek on the Land of Major Thomas Nevett, (in the Room and Stead of that appointed by the Act aforesaid to be at the said Creek on Doctor Murray's Land) and that the Warehouse so as aforesaid to be erected on the Land of Major Thomas Nevet, be under one and the same Inspection with that appointed by the Act aforesaid to be at

Nanticoke, on Thomas Cannon, jun. his Land. In Talbot County, that the House of William Wilson, as well as that of William Gale at King's Town, may be used for storing inspected Tobacco, and that those two Warehouses have but one pair of Scales and Weights; at Parsons Landing, on the Land of Capt. James Lloyd, under one and the same Inspection with that at King's Town, (in the Room and Stead of those appointed by the Act aforesaid to be at Berry's Landing on King's Creek, at Barker's Landing, and at Morris Gideon's Landing in Dividing Creek) That the Houses at Oxford, belonging to Grundy Pemberton, may be added to Richard Gildars and used for storing inspected Tobacco, and that the Warehouse at Broad Creek, on Daniel Sherwood's Land, and those at Oxford, be under one and the same Inspection. In Prince George's County, at a Place called Hannah Brown's Landing, upon Patuxent River, (in the Room and Stead of that appointed by the Act aforesaid to be at or near Truman's Point, on Patuxent River) and that the Warehouse so as aforesaid to be erected at Hannah Brown's Landing, be under one and the same Inspection with that appointed by the Act aforesaid to be at Nottingham. In Queen Anne's County, that the Warehouses appointed by the Inspection Law to be at Charles Brown's Landing; and at the Head of Corsica Creek, on the Land of William Hopper, under one Inspection, be and are hereby declared to be under different Inspections; and that the said Warehouse at William Hopper's be placed at the Millstone Landing; and that the Warehouse appointed by the Inspection Law to be at the Church Landing, near Collins's Mill, be placed on the Land of Richard Porter, jun.

Liber B. L. C. [Talbot.]

[Prince George's.]

[Queen Anne's.]

And be it further Enacted, That there shall be paid to the several Inspectors, to be appointed to attend, in Virtue of this Act, at the several new Warehouses hereby established, the Salaries hereafter mentioned, (That is to say) To each Inspector for the Warehouse at Gilbert Mackay's, and at St. Inegoes, in St. Mary's County, under the same Inspection, Sixty Pounds per Annum each; to each Inspector at John Llewellin's Warehouse, in St. Mary's County, Thirty Pounds per Annum; to each Inspector for the Warehouse at the City of Annapolis, Thirty Pounds per Annum; to each Inspector for the Warehouse at Charles Brown's Landing, in Queen Anne's County, Forty five Pounds per Annum; to each Inspector for the Warehouse at the Head of Corsica Creek, on the Land of William Hopper, in Queen Anne's County, Forty five Pounds per Annum.

p. 460

[Salaries to Inspectors.]

And whereas the Warehouse in Kent County, directed and appointed by the before-mentioned Act to be erected at the Widow Clannahawn's, above the Mouth of Morgan's Creek, on Chester River, is (from the many other convenient Warehouses already fixed on the said River by the Act aforesaid) thought useless and unnecessary;

Liber B.L.C.

[Warehouse on Chester suppressed.] Be it therefore Enacted by the Authority, Advice and Consent aforesaid, That the said Warehouse, so as aforesaid appointed to be at the Widow Clannahawn's, above the Mouth of Morgan's Creek, on Chester River, be and is hereby directed to be suppressed; any thing in the aforesaid former Law contained to the Contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That the Warehouse established by the Inspection Law aforesaid at Mattawoman Creek, on Benjamin Bullett's Land, in Charles County, be and is hereby declared to be suppressed; and that in the Room and Stead thereof, one other Warehouse be and is hereby established to be at Chickamuxon Creek, on the Land of Henry Moore. And that one other Warehouse be and is hereby established, and shall be erected at the Head of Piscataway Creek, on the Land of John Hawkins, junior, in the Room and Stead of that established by the Inspection Law aforesaid, at or near Rawlings's Landing, under the same Inspection with the Warehouse at Broad Creek. And that one other Warehouse be and is hereby established and shall be erected at Pamunkey Creek, on the Land of Mr. John Stoddart; which said Warehouses at Pamunkey and Chickamuxon shall be under one Inspection, and the Inspectors be allowed for their Salary Sixty Pounds Current Money per Annum each.

[Warehouses suppressed, and others fixed.]

[Justices of Charles County to make agreements, &c.] And be it further Enacted, That the Justices of Charles County Court for the Time being, shall be and they are hereby impowered and directed to make the necessary Agreements as directed by the Inspection Law, and to find and provide all Necessaries for the due inspecting Tobacco, at the Warehouse by this Act to be erected at Pamunkey Creek, on the Land of Mr. John Stoddart as aforesaid.

And whereas the Warehouse appointed by the Inspection Law to be at Ragland Landing, on Patapsco River, in Baltimore County, is represented to this present General Assembly, by sundry of the Inhabitants of St. Thomas's Parish in said County, to be of little or no Use to them, for that most Persons, who formerly used to roll their Tobacco there, have for some Time past carried their Tobacco to Baltimore Town, where a Warehouse is appointed by the said Inspection Law to be built;

Be it therefore Enacted, That the Vestrymen and Church-Wardens of St. Thomas's Parish, in Baltimore County, be and are hereby invested with the same Powers and Authorities, mentioned in the said Act, to nominate and recommend to the Governor or Commander in Chief of this Province, for the Time being, two able and sufficient Planters, well skilled in Tobacco, for the Execution of the Office of Inspectors; one of which two Persons, so nominated, and recommended, shall be appointed an Inspector for the Warehouse at Baltimore Town aforesaid. And that the Vestrymen and Church-Wardens of St. Paul's Parish, in Baltimore County, shall nominate and recommend as aforesaid, only two such Persons, in-

[Choosing Inspectors for Baltimore Town Warehouse.]

stead of four mentioned in the said Act, one of which two Persons shall be also an Inspector for the Warehouse at Baltimore Town aforesaid; and that the Warehouse so as aforesaid appointed to be at Ragland Landing, on Patapsco River, in Baltimore County, be and is hereby declared to be suppressed; any thing in the aforesaid Inspection Law contained to the Contrary notwithstanding. Liber B. L. C.

And whereas the Warehouse appointed by this Act to be built at the Head of a Creek, commonly called Watkins's Creek, issuing out of West River, on the Land of Thomas Sprigg, in Anne-Arundel County, happens to be so situated as that it will stand in the outermost Bounds of All-hallows Parish, next adjoining to St. James's Parish, wherein Pig-Point Warehouse will stand. And as those two Warehouses are by this and the Inspection Law to be under one and the same Inspection; and that there are two other Warehouses already fixed by the Inspection Law in the said All-hallows Parish, it is thought reasonable by this present General Assembly, that the Vestrymen and Church-Wardens of only one of the said Parishes should nominate and recommend, as in the said Inspection Law is directed, the two Inspectors to be appointed to attend the said Warehouses on Sprigg's Land and Pig-Point aforesaid;

Be it therefore Enacted, That the Vestrymen and Church-Wardens of St. James's Parish for the Time being, shall be and they are hereby impowered to nominate and recommend four able and sufficient Planters, well skill'd in Tobacco, for the Execution of the Office of Inspectors; two of which Persons so nominated and recommended shall be appointed Inspectors for the Warehouses last mentioned; Any thing in the said Inspection Law contained to the Contrary notwithstanding. [Vestry, &c. of St. James's Parish to Choose, &c.] p. 461

And be it further Enacted by the Authority aforesaid, That the Justices of Talbot County Court for the Time being, shall be and they are hereby authorized and impowered to make an Order of Court for the clearing a Road, in the most convenient Manner, from a Place called the three Bridges to James Berry's, and from thence to the main Road that leads to King's Town, and to levy on the taxable Inhabitants of said County, a Sum not exceeding Six thousand Pounds of Tobacco, and to apply the same towards building a Bridge or Bridges, at such Place or Places on the said Road, as to them, or such of them as shall be appointed by the said Court to see the said Road cleared, shall be adjudged necessary. [Justices of Talbot to Clear a Road.]

And whereas it is represented and made appear to this present General Assembly, That most of the Tobacco which will be brought to the Warehouse appointed by the Inspection Law to be at Bladensburg, in Prince George's County, will come out of Prince George Parish in said County;

Be it therefore Enacted by the Authority aforesaid, That the Vestrymen and Church-Wardens of Prince George Parish for the [Vestry, &c. of Prince George's Parish to Choose, &c.]

Liber B.L.C. Time being, shall be and they are hereby impowered to nominate and recommend two able and sufficient Planters, well skill'd in Tobacco, for the Execution of the Office of Inspectors; one of which Persons so nominated and recommended shall be appointed for an Inspector for the Warehouse at Bladensburg aforesaid: And that the Vestrymen and Church-Wardens of King George Parish shall nominate and recommend, as aforesaid, only two such Persons, instead of four mentioned in the Inspection Law; one of which two Persons shall be also an Inspector for the Warehouse at Bladensburg aforesaid.

And whereas the Inspectors, by the recited Act aforesaid, are obliged to uncase every Hogshead, Cask and Case of Tobacco brought to them to be inspected; but no Provision being made that they shall put up and secure the same;

[Hogsheads to be nail'd up after Inspection.] Be it Enacted, That the several Inspectors shall be and are hereby obliged whenever they shall have inspected a Hogshead or Hogsheads of Tobacco, to case and nail up the same in good Order, and according to the true Intent and Meaning of this Act, immediately after inspecting the same.

[Proviso in Case of Reviews.] Provided always, and be it further Enacted, That where two Inspectors in the same Inspection shall disagree as to the Quality of any Hogshead or Hogsheads of Tobacco, and that a Review shall be required, and such Hogshead or Hogsheads, or any Part thereof, shall be by such Reviewers adjudged unmerchantable, or be burnt by Direction of this Act, that then and in such Case the Inspector of the Inspection who was against first passing such Tobacco or Tobaccoes, shall not be burthened with making Satisfaction for the same, or any Part or Parcel thereof, but that then and in such Case the other Inspector, who would have passed the same and approved thereof, shall be burthened with and make Satisfaction for the whole; Any thing in the said recited Act to the Contrary in any wise notwithstanding.

[Time of Choosing Inspectors.] And be it further Enacted, That for this present Year the several and respective Vestrymen and Church-Wardens within this Province, shall meet (instead of the first Week in December, as by the said recited Act is directed) for the Election of Inspectors on the first Week of October in this present Year, and elect Inspectors in the same Manner as by the said recited Act they are directed to do in the first Week in December, Seventeen hundred forty and eight.

And whereas the before recited Act is not to commence until the First Week of December, Seventeen hundred forty and eight, and that the Justices of the County Courts cannot, in Virtue of the said Act, proceed to the purchasing of Land to build the Warehouses on, until some Time in the said Month of December, which might prove hurtful;

Be it therefore Enacted, That the Justices of the several County Courts within this Province, or the major Part of them, shall in the

Month of August next, proceed and execute the said recited Act, as fully and amply, so far as relates to the purchasing Lands, erecting Warehouses, Wharfs, Cranes, Prizes and all other Necessaries for the inspecting Tobacco, as they might have done in the Month of December aforesaid, in Virtue of the said recited Act notwithstanding any thing in the said recited Act contained to the contrary. Liber B.L.C. [Time for the Justices to Agree for for Land, &c.] p. 464

And be it further enacted that the Inspectors shall be allowed by the several and respective county courts, a Sum not exceeding Four Pounds Current Money, to enable the said Inspectors to find and provide Paper, Books and Ink, needful and necessary for each Inspection. [Allowance for Paper, Ink, &c.]

Provided also, and be it Enacted, That it shall and may be lawful for any Inspector or Inspectors, having served in that Office, after he or they are discharged from such Place or Office of Inspector or Inspectors, to trade, barter, exchange, and buy or sell Tobacco, or any Goods or Merchandize as if he or they had never served or been in such Place or Office; Any thing in the said recited Act contained to the Contrary thereof in any wise notwithstanding. [Proviso, with regard to Inspectors, after having served in said Office.]

And whereas by the before recited Act the Inspectors Salaries for the Warehouse at Frederick Town in Cæcil County, and at Bohemia Ferry, are mentioned to be Sixty Pounds each; which are made appear to be too small;

Be it therefore Enacted, That the Inspectors Salaries, for the Warehouses at Frederick Town, and at Bohemia Ferry in Cæcil County, be increased to Seventy Pounds Current Money to each Inspector: Any thing in the said recited Act to the Contrary notwithstanding. [Salaries.]

And whereas by the said recited Law it is not provided who shall take the Bond the Inspectors are to give for the faithful Discharge of their Duty;

Be it Enacted, That any two Magistrates of the County wherein the inspecting House, for which the Inspectors shall serve, shall, and may, and they are hereby authorized and required, to take the same Bond, and to return it to the next County Court after taking the same, for the Approbation of the Majority of the Justices in Court sitting, and the same to be safe kept by the Clerk of the County amongst the County Records. [Bond to be taken by two Justices.]

This Act to continue until the First Day of December, Seventeen hundred fifty and three, and no longer. [Continuation.]

June 11th 1748
Read & Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

the Great Seal in wax appendant

11th June 1748
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl Up. Ho.

Liber B.L.C. I hereby Certify that Richard Burdus Clerk of the Provincial Court and of the Secretarys Office of the Province of Maryland this Day personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary of the Province aforesaid his Council of State and made Oath on the Holy Evangels of Almighty God that he carefully Examined all the Laws Contained in this Book beginning at Folio four Hundred and Thirty four and ending at folio four Hundred and sixty four with the Original Acts that passed the Great Seal

Sworn to this twenty seventh Day of September Anno Dom. 1748

Bened[t] Calvert

SEAL

The Seal of the Provincial Court is hereunto affixed on behalf of Edmund Jenings Esq[r] Secretary of Maryland

p[r] R. Burdus Clk Sec[rys] Off. & pvin Cur.

PROCEEDINGS

OF THE

GENERAL ASSEMBLY OF MARYLAND

At a Convention held at Annapolis, May 9-11, 1749,
of the General Assembly elected in 1749.

CHARLES CALVERT, LORD BALTIMORE,
Lord Proprietary.

SAMUEL OGLE,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY.

At a Convention of Assembly begun and held at the City of Annapolis on Tuesday the 9th day of May in the 35 year of his Lordships Dominion Annoq Domini 1749. U. H. J. Liber No. 34 1749, May 9 p. 274

Present

His Excellency Samuel Ogle Esqr Governor

The Honourable { Benjamin Tasker Esqr, Col. Charles Hammond, Samuel Chamberlaine Esqr, Philip Thomas Esqr } { Col Edward Lloyd, Richard Lee Esqr, Benedict Calvert Esqr }

Messrs Goldsborough and Sheredine from the Lower House acquaint his Excellency that there is a sufficient Number of Members met to make a house and wait his Excellencys Commands.

Philip Thomas and Benedict Calvert Esqrs are sent to the Lower house to Administer the Oaths to the Government appointed to be taken by Act of Assembly of this Province to the several Members of that House there present and Ordered that the Clerk of this house attend them, who administred the said Oaths to the several Members then Present and they all Subscribed the Oath of Abjuration and Test.

Samuel Chamberlain and Edward Lloyd Esqrs are sent to acquaint the Lower house his Excellency requires their immediate attendance in the Upper house

The Members of the Lower house attend and his Excellency requires them to return to their house and make Choice of a Speaker

Messrs Goldsborough and Carroll from the Lower house acquaint his Excellency their house hath made Choice of a Speaker.

Col. Hammond and Benedict Calvert Esqr are sent to acquaint the Lower house that his Excellency requires their attendance in the Upper house to present their Speaker for his Approbation

The Lower house attend and Present Philip Hammond Esqr to his Excellency as their Speaker who is pleased to approve of their Choice and then makes the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly

A General Peace being at last happily Established by his Majestys care and Wisdom, I cannot help congratulating you on an Event p. 275

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that We have all the Reason in the world to hope will be of the greatest Advantage to this Province in many Respects besides the advancement of our Staple, on which we must principally rely

And It is a great Satisfaction to me to find that the Law we lately passed for the Amendment of it meets with so General an Approbation at home, and I flatter myself a few years Experience will make it agreeable to Every Body here: But as a great deal must always depend upon the faithful Execution of such a Law, it may be worth our while to consider of some further Encouragement, to induce men of worth and Character to take upon them the troublesome office of Inspectors: and I thought it the more necessary to mention this to you as many Gentlemen who have been recommended to me, have declined serving.

Many of our temporary Laws being to Expire with this Session, you will of course consider which of them it may be proper to renew, however my duty Obliges me to recommend to you in a Particular manner the Continuance of the Act for the Provision of Arms and Ammunition for the Defence of the Province which I hope there will be the less Objection to as the money is appropriated in such a manner, that it cannot be applyed to any other Use without the Consent of the whole Legislature.

As I make no doubt of your being met together with a Sincere disposition for the Publick Good, I hope We shall be able not only to Proceed with unanimity But to give such dispatch to Business as to lessen the usual Expences of Our meeting in Assembly to which I shall readily contribute what lies in my power being at all times desirous to Promote the Ease and Prosperity of the People in every Respect as much as Possible.

Mess^{rs} Harris and Buchanan from the Lower house acquaint his Excellency their house hath made Choice of M^{r} Michael Macnemara as their Clerk and that they attend to see him qualified; His Excellency is pleased to acquaint them, that M^{r} Macnemara must be first Presented to him as their Clerk in the usual Manner for his approbation

Mess^{rs} Harris and Buchanan from the Lower house again attend with M^{r} Macnemara, and acquaint his Excellency that their sending up their Clerk in the manner they had done, did not proceed from any design in the house to infringe the Rights of the Government or from any disregard to his Excellencys Person, But that they thought themselves Justified in what they had done by former Presidents of their house.

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And to shew his Excellency that they were so they were further Ordered by the House to deliver the following Extract from the Journal in July Session 1732 Viz.

"The House being incapable of proceeding any further on Business (with Conveniency) through the want of a Clerk, made Choice of Mr Michael Macnemara their late Clerk, Mr Beal and Mr Warfield were Ordered to go to the upper house to see Mr Macnemara qualified as Clerk to this house they Return and acquaint the house that they saw him qualified by taking the several Oaths to the Government required by Law, Repeating the Test Signing the said Several Oaths and Test and taking the Oath of Office" and that they desired Mr Macnemara might be qualified U. H. J. Liber No. 34 May 9

His Excellency is Pleased to acquaint them that he would consider of it and Return an Answer to the Lower House

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 10th of May 1749. May 10

This House met again according to Adjournment

Present as yesterday

Messrs Addison and Wilson attend with Mr John Stoddert, Arthur Lee, and Bayne Smalwood Members Returned for Charles County, to see them Qualified, who take the several Oaths to the Government required by Law Repeat and Subscribe the Adjuration & Test and then withdrew

His Excellency is pleased to Order the following Message sent by him to the Lower house to be entered.

Gentlemen of the Lower house of Assembly

I have Considered your Message by Mr Harris & Dr Buchanan and have searched the Journals of the Upper house in which I find the following Messages by the Lower house of Assembly in presenting their Clerk for the Governors Approbation

July 1732 Mr Beal and Mr Warfield from the Lower house acquaint His Excellency that their house had made Choice of Mr Michael Macnemara for their Clerk, and hopes for his Excellencys Approbation who is pleased to Approve of him the said Macnemara, and thereupon he takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribes the Abjuration & Test, and also takes the Usual Oath of Office and then withdrew

March 1734 The same Message by Messrs Hammond & Hemsley

May 1738 Messrs Dulany and Denton present to the Governor Mr Macnemara as Clerk for his Approbation who return to their house and afterwards the same Gentlemen came again to see him qualified p. 277

May 1739 Messrs Denton and Lloyd Present to the Governor Mr Macnemara as Clerk for his approbation who Return to their house and afterwards the same Gentlemen came again to see him Qualified.

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September 1742 Mess[rs] Dulany and Wootton present to the Governor M[r] Macnemara as Clerk for his Approbation who return to their house, and afterwards Mess[rs] Calder and Thomas Attend to see him qualified

August 1745 Mess[rs] Goldsborough and Henry Present M[r] Tilghman as Clerk for the Governors Approbation who return to their house, and afterwards the same Gentlemen came again to see him qualified

March 1745 Mess[rs] Lloyd and Harrison Present to the Governor M[r] Tilghman as Clerk for his Approbation, who return to their house and afterwards the same Gentleman came again to see him qualified

November 1746 Mess[rs] Key and Gresham present to the Governor for his Approbation M[r] Macnemara as Clerk in the Room of M[r] Tilghman who resigned and afterwards the same Gentlemen came again to see him qualified

By these Messages you will see the uninterrupted course of Proceeding since my first arrival in the Province till this time. And if you look into the Journal of the year 1700, when the Lower house seems first to have Chosen their Clerk you will not only see the Governors Approbation necessary but the Reason of it, the Lower House being satisfied that the appointment of their Clerk was realy in the Governor and only permitted to them out of his Condescension as they themselves Express it with this Express Condition of Presenting him for Approbation; all which you will see clearly in the following abstract.

April 1700 Came from the house Col[t] John Thompson Lieu[t] Col[t] Thomas Smith, M[r] Richard Tilghman and M[r] John Wight who acquaint his Excellency that the house is met according to Proclamation of Prorogation to this day; and desire his Excellency will be Pleased to appoint them a Clerk.

Whereupon the following Message was sent to the house by the Honble Col. Jowles and Thomas Tench Esquire.

By his Excellency the Governor and Council Assembly 26 April 1700

Gentlemen

Understanding by Your Verbal Message by Major Thomas Smith and three other of your Members that your house is met according to Proclamation of Prorogation to this day, and that you desire a Clerk to be appointed you his Excellency is pleased to Leave it to your house to nominate such Clerk and present him to him for his Approbation, no one as yet having Addressed his Excellency for that office

Signed p Order W: Bladen Cl. Coun.

p. 278 Came Captain Richard Hill and M[r] James Saunders and four other Members who return the Thanks of the house to his Excel-

lency for his great Consideration and acquaint him that the house are very Desirous to have Mr Wm Taylard one of their Members to be their Clerk if his Excellency be pleased to assent thereto. An Answer to which was sent by Col. Charles Hutchins & Col John Addison U. H. J. Liber No. 34 May 10

By his Excellency the Governor and Council in Assembly 26 April 1700

Since the house have offered Mr Wm Taylard to be their Clerk, his Excellency is pleased to say that he does approve of him to be a fit qualified Person for the Execution of that Office; And if the house will Dispence with his service in Regard of his being one of their Members He is willing to commissionate him

Signed p Order Wm Bladen Cl. Coun.

Then came Mr William Hutchison with four more of the Delegates and say, the house return their hearty Thanks to his Excellency for his Condescension and signify the Houses willingness to dispence with the Service of their Member, and intreat his Excellency to Commissionate him to be their Clerk

The only Reason that you offer for the alteration you propose, is, that no mention is made of the Governors approbation in your Clerks Entry of the Message in July 1732 by Mr Beal and Mr Warfield But surely the not mentioning any fact is no proof against its not having passed, when it is Expressly Recorded in an other Journal agreeable to the whole Tenor of the Records of both houses in other instances relating to this affair

I have been the more particular upon this Subject that no Doubt may Remain with your house about an affair that seems so very Clear & Evident and you may be assured that when any real Privileges of your house are in Question, I shall have the same just Regard for them that I think myself Obliged to have for the just Rights of his Lordship Sam: Ogle

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the morning

Messrs Addison, Murdoch, Handy and Waggerman from the Lower House, attend with Col. Robert King and Col Robert Jenkins Henry two of the Members Returned for Somerset County and with Col. Edward Sprigg a member Returned for Prince Georges County, to see them Qualified, who take the several Oaths to the Government Required by Law Repeat and Subscribe the Abjuration and Test and then withdrew p. 279

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Benjamin Tasker Esq[r] attended by the Members of this house presents to his Excellency the Address of this house in the word following

To His Excellency Samuel Ogle Esq[r] Governor & Commander in Chief in and Over the Province of Maryland.

The Humble Address of the Upper house of Assembly

May it please Your Excellency

We beg Leave to return your Excellency Our unfeigned Thanks for the Speech you was pleased to make to Us at the meeting of both Houses of Assembly this Session, and it is with hearts full of Gratitude We acknowledge his Majestys care and Wisdom in the Establishing of a General Peace, the Advantages whereof we hope this Province will partake and that We may soon feel the happy Effects of it in the Advancement of Our Staple

The General Approbation which the late Law we passed for Inspection of Tobacco has met with at home is a convincing proof to Us, of the Expediency of that Law, and we make no Doubt but Experience will Render it as agreeable to every Body here: We are very sensible that the best Laws without a faithful & due Execution of them must fail in some measure to answer the Salutary Ends proposed by them, and therefore if in this it shall be found that some further Encouragement is Necessary to induce Men of worth and Character, to take upon them the office of Inspectors We shall readily concur in giving our Assistance therein, as well as in renewing such temporary Laws as may be wanted for the Publick good

And we make bold to assure your Excellency that We shall Endeavour as far as in us Lies to Proceed with such unanimity as may give the greatest dispatch to Business and thereby Lessen the Expences of our meeting Benj[a] Tasker Pres[dt]

Mess[rs] Bond and Mills from the Lower house attend with M[r] Philip Key and M[r] Abraham Barnes Two of the Members Returned for S[t] Marys County to see them Qualified, who take the several Oaths to the Government required by Law Repeat and Subscribe the Abjuration and Test and then withdraw

Adjourned till to morrow Morning ten of the Clock

May 11

Thursday Morning 11[th] May 1749.

This house met again according to Adjournment

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Present as yesterday

His Excellency is pleased to communicate his answer to the Address of this house which answer is as follows

U. H. J. Liber No. 34 May 11

Gentlemen, of the Upper house of Assembly

I return you thanks for your kind Address, and am very much Obliged to you, for the assurance you give me of your using your utmost endeavours to Proceed with unanimity to the dispatch of the Publick Business which must be the best way to Lessen the Expences of our meeting and to Promote the happiness of the Province in every Respect

Sam: Ogle

Richard Lee and Benedict Calvert Esq^{rs} are sent to the Lower house to acquaint the Speaker that his Excellency Requires his immediate attendance with the Lower house in the Upper house

The Speaker and the Lower house attend and his Excellency is pleased to make the following Speech.

Gentlemen of the Upper and Lower houses of Assembly

As I find myself under a Necessity for many Important Reasons to Prorogue this Assembly, I do therefore with the Advice of his Lordships Council of State Prorogue you to Wednesday the 24th Day of this Instant May and you are to take Notice you are Prorogued to that day accordingly.

Thus Ends this Convention of Assembly begun and held at the City of Annapolis the 9th day of May and Ending the 11th day of the same Month in the 35th year of his Lordships Dominion in the 22^{d} year of his Majestys Reign Annoq Domini 1749

J Ross, Cł.

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

L. H. J. Liber No. 46 1749, May 9 p. 809

At a Session of Assembly begun and held at the City of Annapolis, on Tuesday the 9th Day of May, in the Year 1749, and in the 35th Year of the Dominion of the Right Honble Charles, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. (his Excellency Samuel Ogle, Esq; being Governor) appeared in the Lower House of Assembly,

For St. Mary's County,
Capt. Zachariah Bond,
Mr. James Mills.
For Kent County,
Mr. Nicholas Smith,
Mr. Richard Lloyd,
Mr. Matthias Harris,
Mr. Simon Wilmer.
For Anne Arundel County,
Mr. Philip Hammond,
Dr. Charles Carroll,
Mr. Thomas Worthington,
Mr. Stephen Bordley.
For Calvert County,
Mr. James John Mackall,
Mr. Benjamin Mackall,
Mr. James Heighe,
Mr. Benson Bond.
For Charles County,
Mr. Jonathan Wilson.
For Somerset County,
Capt. Isaac Handy,
Capt. Henry Waggaman.
For Talbot County,
Mr. Nicholas Goldsborough,
Mr. John Goldsborough,
Mr. Robert Lloyd,
Mr. Edward Oldham.
For Dorchester County,
Col. Henry Hooper,
Mr. Philemon Lecompte,
Capt. Henry Travers.
For Cæcil County,
Mr. Benjamin Pearce,
Capt. Peter Bayard,
Col. John Baldwin,
Mr. Richard Thompson.
For Baltimore County,
Major Thomas Sheredine,
Dr. George Buchanan,
Capt. John Paca,
Capt. Darby Lux.
For Prince George's County,
Mr. Turnor Wootton,
Capt. John Addison,
Mr. William Murdock.
For the City of Annapolis,
Capt. Robert Gordon,
Mr. Walter Dulany
For Queen Anne's County,
Capt. Edward Tilghman,
Capt. William Hopper,
Mr. Thomas Wilkinson,
Mr. John Davis.
For Worcester County,
Capt. Thomas Robins,
Col. John Scarborough,
Col. John Henry,
Mr. John Selby.
For Frederick County,
Capt. Henry Wright Crabb,
Capt. Thomas Owings [Owen]
Mr. Joseph Chaplain,
Daniel Dulany, Junior, Esq:

A sufficient Number of Members to compose a Lower House of Assembly being met at the Stadt-House, Mr. Nicholas Goldsborough and Major Sheredine were desired to acquaint his Excellency therewith; which they accordingly did. L. H. J. Liber No. 46 May 9

Philip Thomas and Benedict Calvert, Esquires, of the Upper House, and Mr. John Ross, Clerk of the Council, came into the Stadt-House; where, in their Presence, the aforesaid Members took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, and repeated and signed the Test. p. 810

Samuel Chamberlaine and Edward Lloyd, Esquires, from the Upper House, acquaint the Members of this House, that the Governor required their Attendance in the Upper House.

The Members of the Lower House went to the Upper House; his Excellency recommended them to return to their House to choose a Speaker: They returned, and unanimously made choice of Mr. Philip Hammond, a Representative of Anne Arundel County, to be their Speaker; and placed him in the Chair.

Mr. Nicholas Goldsborough and Dr. Carroll were sent to acquaint his Excellency the Governor, that this House had chose a Speaker.

Col. Hammond and Benedict Calvert, Esq; from the Upper House, acquaint the Members of the Lower House, that the Governor requires their Attendance in the Upper House to present their Speaker.

The Members of the Lower House went to the Upper House, and there presented Mr. Philip Hammond to the Governor as Speaker: His Excellency gave an Approbation of their Choice, and made the following Speech; viz. (See page 167) p. 811

The Members of the Lower House return, and Mr. Speaker resumes the Chair.

On Motion that a Clerk be immediately chosen, in order to proceed to Business; the House unanimously made choice of Mr. Michael Macnemara, the late Clerk. Mr. Harris and Dr. Buchanan were ordered to acquaint the Governor (he then being in the Upper House), that this House had chose Mr. Michael Macnemara their Clerk, and that they came there to see him qualified: They return and acquaint Mr. Speaker, they delivered their Message, and that the Governor was pleased to answer thereto, "that altho' he believed he should not disapprove of Mr. Macnemara; yet as he did not come to him in the usual Manner for his Approbation, he could not approve of him."

The House, on Consideration of the Governor's Answer, ordered Mr. Harris and Dr. Buchanan, with Mr. Macnemara, to attend the Governor, and to deliver to his Excellency the following verbal Message; viz. (see page 168)

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They return and acquaint Mr. Speaker, they deliver'd their Message and the Extract from the Journal, to the Governor in the Upper House; who was pleased to signify to them, "That he would consider the same, and return an Answer to the Lower House."

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

May 10

Wednesday Morning, May 10, 1749.

The House met according to Adjournment.

Mr. Harris, Dr. Carroll, and Mr. Robert Lloyd, are appointed a Committee to search in the Offices for Precedents in the Journals of Assembly, relating to the Manner of choosing and appointing Clerks, and to make Report thereof to the House.

Mr. Bayne Smallwood, Mr. John Stoddert, and Mr. Arthur Lee, Members returned to serve in this Assembly for Charles County, appeared in the House. Capt. Addison and Mr. Wilson were sent to the Upper House with those Gentlemen, to see them there qualified: They return and acquaint Mr. Speaker, they saw them qualified in the usual manner.

p. 813 The Gentlemen took their Seats in the House.

His Excellency the Governor communicated to Mr. Speaker the following Message; viz. (See pages 169-171)

p. 814 The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Col. Robert King and Major Robert Jenkins Henry, two returned Members to serve in this Assembly for Somerset County, and Col. Edward Sprigg, a returned Member for Prince George's County, appeared in the House.

Capt. Addison, Mr. Murdock, Capt. Handy, and Capt. Waggaman, were sent to the Upper House with those Gentlemen, to see them there qualified: They return and acquaint Mr. Speaker, they saw them qualified in the usual Manner.

The Gentlemen took their Seats in the House.

The House appointed Mr. Thomas King, Serjeant at Arms, to attend this House; and also appointed Mr. Thomas Sparrow Door-Keeper: Ordered, That Col. Hooper do administer to them the several Oaths required by Law, and the Oath of Office.

Col. Hooper acquaints Mr. Speaker, that Thomas King and Thomas Sparrow took the several Oaths to the Government required by Law, and subscribed the Oath of Abjuration, and repeated and subscribed the Test in his Presence, and took the following Oaths of Office; viz.

You Thomas King do swear, that you will faithfully, diligently, and honestly discharge the Office of Serjeant at Arms to the Lower House of Assembly; and you shall not disclose or reveal the Secrets thereof. So help you God. L. H. J. Liber No. 46 May 10

You Thomas Sparrow do swear, that you will faithfully, diligently, and honestly discharge the Office of Door-Keeping to the Lower House of Assembly; and that you shall not disclose or reveal the Secrets thereof. So help you God.

Dr. Carroll, from the Committee appointed to search in the Offices for Precedents in the Journals, relating to the manner of choosing and appointing Clerks, delivers to Mr. Speaker the following Report:

To the Honourable the House of Delegates.

In Obedience to an Order of your honourable House, we have made search in the Offices for Precedents in the Journals of Assembly, relating to the Manner of choosing and appointing of Clerks; and do find, that in a Trunk in the Provincial Office are kept, in loose Paper-Books, Journals of the Assembly, from September Session, 1664, until the Year 1705, which are imperfect, some being lost; and others partly torn away; out of which, in the best manner we could, we have made the following Abstracts; viz.

We find, that in September Session, 1664, William Bretton acted as Clerk to the Lower House; but that Journal not beginning with a new Assembly, no mention is made how, or in what manner he was chosen or qualified. p. 815

In April Session, 1666, is the following Entry; 'And being come into their House, they elected Mr. William Bretton Clerk of the Lower House of Assembly.'

We cannot find any Journal from 1666 'til 1671, at which Time Robert Carville acted as Clerk; but the former Part of that Session being lost, we cannot discover how, or in what manner, the said Carville was chosen or qualified.

In May Session, 1676, we find the following Entry: 'Mr. Speaker, in Behalf, and by Order of the whole House, humbly requests of his Lordship Liberty to chuse their Clerk; which his Lordship grants them as a particular Favour to them, and not to be construed as their Right to elect; but that his Lordship may appoint whom he pleases to be Clerk of this House. They elect Robert Ridgely to be their Clerk; his Lordship approves of him, and they retire to their own House.'

In the Journal of 1694 we find, that the Speaker and the House desire that Cleyborn Lomax may be admitted their Clerk; which was granted, and a Commission given him under the Lesser Seal of this Province; and at the same Time had administred to him the Oaths

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appointed by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, as also the Oath as Clerk of this House, and likewise signed the Test; which was signified to the House by the following Message:

By his Excellency the Governor and Council, September 21, 1694.

'Cleyborn Lomax having received a Commission at this Board for being Clerk of your House, had administred unto him the Oath appointed by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, as also the usual Oath of Clerk of that House; and likewise subscribed the Test.

'Signed per Order, Henry Denton, Cl. Co.'

And the said Cleyborn Lomax had likewise a Copy of the Clerk's Oath, for the Satisfaction of this House.

We find, that in March, 1697/8, William Bladen signed as Clerk to the House of Delegates; but it nowhere appears how he was appointed.

And in June, 1699, Christopher Griggory signed as Clerk; but when, or in what manner appointed, does nowhere appear.

We can't find any Journal for the Year 1700.

In May Session, 1701, we find the following Entry: 'William Taylard being elected and chosen Clerk of this House, Ordered, That Mr. Samuel Young, and George Muschamp, Esq; go to his Excellency, and signify their Choice of their Clerk, and humbly desire he may be sworn and qualified; They return, and say they saw him qualified.'

p. 816

We find in November Assembly, 1708, the following Entry: 'Then the House made choice of Mr. Richard Dallam for their Clerk; Ordered, That Mr. Nathaniel Dare and Mr. Philemon Hemsley go with the Clerk, and present him to his Excellency for Approbation, and to see him qualified if approved: They return, and say they saw the Clerk qualified by taking the usual Oaths, his Excellency having approved of him.'

We find in October Assembly, 1709, the following Entry: 'Upon which the House made choice of Mr. William Taylard to be their Clerk, in the Room of Mr. Richard Dallam, who lies very sick; and Ordered, That Mr. Robert Tiler and Mr. Samuel Worthington go with him, and present him to the Honourable Council for Approbation, and to see him qualified: They return, and say they saw the Clerk qualified, by taking the usual Oaths, and signing the Test, &c. the Council having approved of him.'

We find in October Assembly, 1712, the following Entry: 'The House made choice of Mr. Richard Dallam to be their Clerk; Ordered, Mr. Daniel Mariarte and Mr. James Lloyd go and present him to the Honourable the President and Council for their Appro-

bation, and to see him qualified: They return and say, the Honour- L. H. J. Liber No. 46 May 10
able President and Council approve of the Clerk, and he is qualified.'

We find, in November Assembly, 1713, the following Entry: 'Mr. Richard Dallam, Clerk of this House, being very sick, had Leave to go home; therefore, Ordered, That Mr. Tyler and Mr. Mariarte attend Mr. Evan Jones to the Council, to see him sworn and qualified to be Deputy Clerk of this House: They return, and say they saw him qualified.'

We find, in June Assembly, 1714, the following Entry: 'This House wanting a Clerk to supply the Place of Mr. Richard Dallam, who, since the last Sessions of Assembly, died, make choice of Thomas Macnemara as Clerk of this House; and humbly pray his Excellency's Approbation of him, and that he may be qualified by taking the usual Oaths: Ordered, That Col. Hopkins and Mr. Tyler acquaint his Excellency the Governor therewith: They return, and say they delivered their Message; upon which Mr. Macnemara was accordingly approved of, and qualified by taking the usual Oaths, and the Oath of Clerk of this House, in the Council Chamber.'

We find, in July Assembly, 1716, the following Entry: 'The House made choice of Thomas Macnemara their Clerk, and Ordered, That Mr. James Stoddert and Capt. James Frisby go and present him to his Excellency the Governor for his Approbation, and to see him qualified by taking the usual Oaths: They return, and say that his Excellency approved of the Clerk chosen, and that he is duly qualified.'

We find, in May Assembly, 1717, the following Entry: 'The p. 817
House wanting a Clerk to supply the Place of Thomas Macnemara, Esq; (being absent from the Province,) make choice of Michael Jenifer to be Clerk of this House; who according to the Act of Assembly of this Province entituled, An Act for the better Security of the Peace, and Safety of his Lordship's Government, and the Protestant Interest, within this Province, took the several Oaths thereby directed, as also the Oath of a Clerk to this House; his Excellency the Governor and Council not being then sitting.'

We find, In May Assembly, 1719, the following Entry: 'The House proceeds to the choice of their Clerk; whereupon Michael Jenifer is unanimously chosen; Ordered, That John Rousby, Esq; and Mr. Philip Lee go to the Upper House, to present the said Michael Jenifer for his Excellency's Approbation, and to see him qualified: They return, and say they see him qualified by taking the Oaths according to Act of Assembly, and subscribing the Test, and taking the Oath of Clerk.'

We find, in October Assembly, 1722, the following Entry: 'The House proceeds to the choice of their Clerk. Michael Jenifer is unanimously chosen; Ordered, That John Beale, Esq; and Mr.

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Thomas Gant, go to the Upper House to present the said Michael, for his Honour the Governor's Approbation, and to see him qualified: They return, and say they see him qualified by taking the several Oaths appointed by Act of Assembly, and subscribing the Test and the Oath of Clerk.'

We find, in October Assembly, 1725, the following Entry: 'The House proceeds to chuse their Clerk, and Michael Jenifer is unanimously chosen; Ordered, That Mr. Crabb and Capt. Hooper go to the Upper House to see him qualified: They return, and say they see him qualified; whereupon the said Michael Jenifer takes the usual Oath of Clerk before the Hon. James Stoddert, Esq; a Member of this House.'

We find, in October Assembly, 1727, the following Entry: 'Ordered, That Capt. Jordan and Mr. Waughop go to the Upper House to see Michael Jenifer, the Clerk of this House, qualified: They return, and say they see him qualified.'

We find, in October Assembly, 1728, the following Entry: 'The Members present yesterday, in conformity to the last Day's Adjournment, this Day met; and being incapable of proceeding any further in Business (with conveniency) through the Want of a Clerk, make choice of Mr. Michael Macnemara as Clerk of this House: Ordered, That Mr. Beale and Mr. Dulany go to the Upper House to see Mr. Macnemara qualified as Clerk to this House: They return, and acquaint the House that they saw him qualified by taking the several Oaths required by Law, repeating the Test, signing the said several Oaths and Test, and taking the Oath of Office.'

We find, in July Assembly, 1731, that William Cumming was chosen Clerk of the Lower House, approved by the Governor, and qualified before him in the Upper House, by taking the several Oaths to the Government, and the usual Oath of Clerk.

p. 818 We find in August Assembly, 1731, that Mr. Macnemara is again appointed Clerk by the Lower House, sent to the Governor for Approbation, who approved accordingly, and Mr. Macnemara was qualified as usual.

We find, in July Assembly, 1732, the following Entry: 'The House being incapable of proceeding any further on Business, with Conveniency, through the Want of a Clerk, made choice of Mr. Michael Macnemara, the late Clerk: Mr. Beale and Mr. Warfield were ordered to go to the Upper House to see Mr. Macnemara qualified as Clerk to this House: They return, and acquaint the House that they saw him qualified, by taking the several Oaths to the Government required by Law, repeating the Test, signing the said several Oaths and Test, and taking the Oath of Office.'

We find, in March Assembly, 1734, the House proceeds to the Choice of a Clerk, and chose Mr. Michael Macnemara: Mr. Ham-

mond and Mr. Hemsley were sent to the Upper House, to present the said Macnemara to the Governor for his Approbation, and to see him qualified. L. H. J. Liber No. 46 May 10

We find the same Method pursued in the Choice of a Clerk, in May Session, 1738; and that the same has continued without any Interruption, down to the present Time.

All which is humbly submitted to the Consideration of your Honourable House.

C. Carroll,
Robert Lloyd,
Mat. Harris.

The House having duly considered the Governor's Message of this Day, and the Report made by the Gentlemen appointed to search in the Offices for Precedents in the Journals, relating to the manner of choosing and appointing of Clerks to this House; and the Question being moved to be put, the Question was put, Whether this House will proceed now to qualify their Clerk, by directing him to take the several Oaths necessary for such Qualification, or Not? Resolved unanimously in the Affirmative.

Ordered, That Col. Hooper, one of the Justices of the Provincial Court, and a Member of this House, do qualify the said Macnemara accordingly.

Col. Hooper acquaints Mr. Speaker, that in Pursuance of the Order of this House, he did administer to Mr. Michael Macnemara the several Oaths to the Government required by Law; and that the said Michael Macnemara subscribed the Oath of Abjuration, and repeated and subscribed the Test in his Presence, and took the following Oath; viz.

You Michael Macnemara do swear, that, as Clerk of the Lower House of Assembly, you shall true Entries make of all such Matters and Things as by the Honourable Speaker for the Time being, and that House, shall be to you directed; the Secrets of the said House you shall not divulge, to the Prejudice of the House, or any Member thereof; but shall in all Things, as Clerk to the said House, well and truly demean yourself according to the best of your Knowlege. So help you God. p. 819

Mr. Philip Key and Major Abraham Barnes, two Members returned to serve for St. Mary's County, appeared in the House; Ordered, That Capt. Zachariah Bond and Capt. Mills do go to the Upper House with those Gentlemen to see them there qualified: They return, and acquaint Mr. Speaker they saw them qualified in the usual Manner. The Gentlemen took their Seats in the House.

L. H. J. Liber No. 46 May 10

Ordered, That Mr. Worthington do acquaint the Rev. Mr. Andrew Lendrum, that he is desired by this House to read Divine Service Morning and Evening, during this Session.

Resolved, That the Hours of sitting, during this Session be from Nine of the Clock in the Morning until Twelve; and from Two of the Clock in the Afternoon until Six.

On motion of a Member, it is Resolved, That a Committee be appointed to consider of Ways and Means to raise a Fund for the greater Encouragement of Learning within this Province.

The House appointed Dr. Carroll, Mr. Robert Lloyd, Mr. Nicholas Goldsborough, Col. Hooper, Mr. Harris, Major Henry, Mr. Key, Mr. Bordley, and Mr. Dulany, a Committee of Laws.

Col. Sprigg, Mr. Worthington, Mr. Wootton, Mr. Stoddert, Mr. Tilghman, Mr. Smallwood, and Mr. John Goldsborough, a Committee of Elections and Privileges.

Dr. Carroll, Mr. Nicholas Goldsborough, Col. Hooper, Capt. Addison, Capt. Paca; Mr. Stoddert, and Mr. John Goldsborough, a Committee of Aggrievances and Courts of Justice.

Mr. Worthington, Col. King, Mr. Wootton, Col. Sprigg, Major Sheredine, and Dr. Buchanan, a Committee of Accounts;

Capt. Addison, Capt. Lux, Mr. Richard Lloyd, Mr. James John Mackall, and Capt. Hopper, a Committee to inspect the State and Condition of the Arms and Ammunition, and Accounts relating thereto.

Major Sheredine, Mr. Tilghman, Major Barnes, Col. John Henry, and Capt. Zachariah Bond, a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly.

p. 820 The Governor's Speech was read in the House by the Clerk; Ordered, That the Committee of Laws do prepare an Address to his Excellency thereon.

On motion of a Member, that a Revisal be made of the Laws of this Province; Resolved, That the House do take the same into Consideration on Tuesday Morning next.

A Petition of John Smith Prather, on Behalf of himself and others, Freeholders and Free Voters in Frederick County, complaining of an undue Election in said County, was read, and referred for Consideration on the Morrow Morning.

A Petition of Thomas Reeder, on Behalf of himself and others, Freeholders and Free Voters of St. Mary's County, complaining of an undue Election in the said County, was read, and referred for Consideration on the Morrow Morning.

The House adjourns until Tomorrow Morning 9 of the Clock.

Thursday Morning, May 11, 1749.

L. H. J.
Liber No. 46
May 11

The House met according to Adjournment, and was called over. All the Members appeared as on Yesterday. The Proceedings were read.

Richard Lee and Benedict Calvert, Esquires, from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House in the Upper House.

Mr. Speaker left the Chair, and, attended by the Members of the Lower House, went to the Upper House; where his Excellency made the following Speech; viz. (See page 173)

So endeth this Meeting in Assembly, this 11th Day of May, in the Year of our Lord, 1749.

Test. M. Macnemara, Cl. Lo. Ho.

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, May 24–June 24, 1749,
Being the First Session of the Assembly elected in 1749.

CHARLES CALVERT: LORD BALTIMORE,
Lord Proprietary.

SAMUEL OGLE,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

U. H. J. Liber No. 34 1749, May 24 p. 281

At a Session of Assembly begun and held at the City of Annapolis on Wednesday the 24th day of May in the 35th year of his Lordships Dominion Annoque Domini 1749.

Present

His Excellency Samuel Ogle Esq[r] Governor

The Honourable	Benjamin Tasker Esq[r]	Daniel Dulany Esq[r]
	Col[l] George Plater	Col[l] Edward Lloyd
	Edmund Jenings Esq[r]	Benj. Young Esq[r]
	Col[l] Charles Hammond	Richard Lee Esq[r]
	Samuel Chamberlaine Esq[r]	Benedict Calvert Esq[r]

Col[l] King and D[r] Carrol from the Lower house acquaint His Excellency that there is a sufficient Number of Members met to make a house and wait his Excellencys Commands

Richard Lee and Benedict Calvert Esq[rs] are sent to acquaint the Lower house His Excellency requires their immediate Attendance in the Upper house

The Lower house attend and his Excellency is pleased to make the following speech

Gentlemen of the Lower house of Assembly

As you thought Proper at our last meeting to depart from the usual Method of Presenting your Clerk to the Governor for Approbation, a Short Recess became necessary that nothing might be Precipitated in an Affair that you Apprehended concerned your Privileges which you may be assured I shall always think myself Obliged to Maintain with the same Zeal as if I was a Member of your house, and I make no doubt that you will have the same Regard for the just Rights of the Crown which are Established for no other End but the happiness of the People.

And indeed every good Englishman must be pleased to think that by the British Constitution the Liberties of the People and Prorogation of the Crown are ascertained by such just and known Bounds, as mutually to support each other, and prevent the Confusion that might otherwise follow an unreasonable desire of Power, in whatever Part of the Legislature it happens to take Place p. 282

You must be sensible that the Clerk of the house of Commons holds his Place by an appointment from the King, and that the

U. H. J. Liber No. 34 May 24

Power of making all officers within this Province is delegated by the Royal Charter to his Lordship, and consequently that the Power of Appointing a Clerk to the Lower house of Assembly, must be allowed to be vested in the Lord Proprietor unless the Representatives of this Province should be supposed to have a greater Authority in this Matter than the Representatives of Great Britain

And if you peruse the Extracts of the Journals of the Two houses which I shall Lay before you, it will be found, that this Right has not only been exercised by the Government here, but acquiesed in by former Assemblies and the Permission given to the Lower house to Choose their Clerk, under the express Condition of Presenting him to the Governor for Approbation, has more than once been Considered and acknowledged to be an Act of Condescension in the Government

This being a true State of the Case, as It appears to me, It is far from my Disposition to Enter into any dispute about your Privileges or to abridge you of any Indulgence that Custom in the Least degree entitles you to, or indeed to Refuse you any thing that can be reasonably desired, I therefor flatter myself, that you will not on your Part insist upon a Point, that every reasonable Man must be satisfyed my Duty will not permit me to agree to, but Present your Clerk in the usual manner for Approbation, that We may Proceed upon the Publick Business with that Unanimity and dispatch that is realy necessary for the true Interest of the Province

Extracts from the Journals of the Upper house of Assembly.

1st February 1637 The Governor and Freeman Assembled except Mr Bretton the Clerk of the Assembly whereupon the Governor appointed Lieut William Lewis to supply his place

21st February 1637 The Governor and Captain Giles Brent one of his Lordships Council and Freeman Assembled except Mr Bretton Clerk of the Assembly, and the Governor appointed John Lewgar junr to supply his Place

In April Assembly 1662 After sometime Came the Lower house and Presented Mr Preston as their Speaker and Mr William Bretton their Clerk

p. 283 In March Assembly 1671 On which day Robert Ridgeley was then also sworn Clerk of the Lower House of Assembly

The same day the Upper house of Assembly were pleased upon the humble desire and Earnest Request of the Lower house to Admit Robert Carvile their Clerk and he was accordingly sworn

In October Assembly 1671 Robert Ridgeley was this day Admitted Clerk of the Lower house of Assembly sworn at the Opening of this Assembly.

In February Assembly 1674 Robert Ridgeley is continued Clerk to the Lower house

In April Assembly 1682 Lordships Speech. That he had by Commission appointed Mr Thomas Grunwyn their Clerk whom he doubted not they would find Respectful careful & capable. U. H. J. Liber No. 34 May 24

A Message from the Lower house by Mr Robert Carvile and Mr John Coode

They bring with them the form of an Oath which they desire may be Administred by this house to the Clerk of their house whom they had brought with them to that Purpose.

Which Oath was accordingly Administred to and taken by Mr Thomas Grunwyn Clerk of the Lower house.

In October Assembly 1682 Lordships Speech "Having by Commission appointed Thomas Grunwyn your Clerk"

In October Assembly 1683. His Lordship further declares to them that he had by Commission constituted Major Charles Boteler their Clerk of the Lower house

Mr Thomas Burford comes to this house with Major Boteler who before this house took the Oath of Clerk of the Lower house as penned by the Upper house

In September Assembly 1694 His Excellency Proposing to the Board in whom the Right of Chusing a Clerk to the house of Burgesses lay, he was answered that there was a Contest about the same in Lord Baltimores time but that my Lord did Appoint them a Clerk at that time; his Excellency did thereupon desire them to enquire and advise who might be a fit Person to Execute that trust.

Ordered that Commission issue to constitute Clayborn Lomax, Clerk of the house of Burgesses, to pass the Lesser Seal &c. and to run during Pleasure

The House of Delegates desire that Clayborn Lomax may be Admitted their Clerk, which was Granted and Commission given him at the Board. under the Lesser Seal of this Province and at the same time had administred unto him the Oaths appointed by Act of Parliament instead of the Oaths of Allegiance and Supremacy as also the usual Oath of Clerk of that house which was signified to the house by the said Lomax who had Likewise a copy of the Clerks Oath given him for Satisfaction of the house p. 284

In May Assembly 1695 Came Mr Boothby and Major Smalwood from the house of Burgesses who signified that the house had understood his Excellency being dissatisfyed with the proceedings of Clayborn Lomax their present Clerk, therefore had by a Vote of their house made choice of Mr William Bladen to officiate in his stead and were sent to request his Excellency's Approbation, of the said Choice; who accordingly was admitted and was approved of (and being present in Council) had administred unto him the Oaths appointed by Act of Parliament to be taken instead of the Oaths of

U. H. J. Liber No. 34 May 24

Allegiance & Supremacy as also the usual Oath of Clerk of that house and Subscribed the Test.

Ordered that Commission be prepared to Pass the Broad Seal accordingly

In October Assembly 1698. His Excellency understanding that the house of Delegates were met was pleased to send the honourable Col. Henry Jowles & Thomas Tench Esq^{r} to have M^{r} Christopher Gregory sworn Clerk of the house of Delegates

Who return and say that they did Present M^{r} Gregory to the house to have him sworn and that the house did accept of and approve him but refuse to Swear him unless he took also an Oath of Secrecy which they say is usual.

Message from the house of Delegates by M^{r} Simon Wilmer and M^{r} Thomas Haley who say that the house desire such Oath of Secrecy may be Administred to their Clerk

His Excellency observes to the house their insisting to have the Clerk of their house sworn to secrecy tells them that he does not understand what they mean thereby.

Then came from the house of Delegates M^{r} William Hutchinson & Captain Philip Hoskins and desire that M^{r} Gregory might be sworn Clerk of their house and accordingly M^{r} Gregory was sworn

p. 285 In April Assembly 1700 Came from the house Col John Thompson Lieu^{t} Col. Thomas Smith M^{r} Richard Tilghman and M^{r} John Wight who Acquaint his Excellency that the house is met according to Proclamation of Prorogation to this day and Desire his Excellency will be pleased to appoint them a Clerk.

Whereupon the following Message was sent by Col. Henry Jowles and Thomas Tench Esquire

By his Excellency the Governor and Council in Assembly

26 April 1700 Gentlemen Understanding by your Verbal Message by Major Thomas Smith and three others of your Members that your house is met according to Proclamation of Prorogation to this day and that you desire a Clerk to be appointed you, his Excellency is Pleased to Leave it to your house to nominate such Clerk and Present him to him for his approbation, no one having as yet addressed his Excellency for that Office

Signed p Order W Bladen Cl. Coun.

Came Captain Richard Hill M^{r} James Saunders & four other Members who return the Thanks of the House to his Excellency for his great Condescension and acquaint him that the house are very desirous to have M^{r} William Taylard one of their Members to be their Clerk if his Excellency be Pleased to assent thereto

In Answer to which was sent by Col Charles Hutchins & Col. Jn^{o} Addison Viz.

By his Excellency the Governor and Council in Assembly
26 April 1700

U. H. J. Liber No. 34 May 24

Since the house have offered M^r^ William Taylard to be their Clerk his Excellency is Pleased to say that he does approve of him to be a fit & qualified Person for the Execution of that Office and if the house will dispence with his Service in Regard of his being one of their Members he is willing to Commissionate him.

Signed p Order W: Bladen Cl. Coun.

Then came M^r^ William Hutchinson with four more of the Delegates & say the House Return their hearty Thanks to his Excellency for his Condescension and signify the houses willingness to dispence with the Service of their Member and Intreate his Excellency to Commissionate him to be their Clerk

M^r^ William Taylard sworn Clerk of the house of Delegates took the Oaths Subscribed the Test and Association

In May Assembly 1701 Came M^r^ Samuel Young and M^r^ George Muschamp from the house who present M^r^ William Taylard to his Excellency desiring he may be Commissionated Clerk of their house, which his Excellency is Pleased to Approve of.

Accordingly the same M^r^ Taylard took the Oaths appointed by Act of Parliament instead of the Oaths of Allegiance and Supremacy and the Oath of Clerk of the house of Delegates, likewise subscribed the Test & Association

In September Assembly 1704 Lieu^t^ Col. James Maxwell and Major Greenberry came with M^r^ William Taylard whom they Present to his Excellency from the house as chosen to be their Clerk. His Excellency was pleased to admitt thereof and accordingly M^r^ Taylard was sworn in the Presence of the said Members. p. 286

In September Assembly 1708. Came from the Lower house M^r^ Wornal Hunt and M^r^ Matthias Vanderheyden together with M^r^ Richard Dallam and M^r^ Hunt says that their house made Choice of M^r^ Richard Dallam to be their Clerk humbly [praying] that his Excellency and this honourable Board will be pleased to swear & Admit him as such to whom his Excellency was pleased to say that he would Consider further of it.

Kenelmn Cheseldine Esq^r^ was sent to acquaint the house of Delegates that his Excellency and this Board would have their Message Relating to M^r^ Dallam Reduced into Writing

M^r^ Hunt & M^r^ Vanderheyden enter the Council and Deliver to his Excellency in writing the following Message Viz. By the house of Delegates 28 September 1708

This house humbly Recommend Richard Dallam to his Excellency for his approbation to be their Clerk

Thomas Smithson Speaker

U. H. J. Liber No. 34 May 24

To his Excellency the Governor & the Hoñble her Majestys Council in Assembly

In Answer whereto the following sent by Kenelmn Cheseldine Esquire

By his Excellency the Governor & Council in Assembly 28 September 1708.

Mr Speaker Tho we are well Satisfied it is her Majestys Prerogative to appoint Proper Officers to attend the Assembly and that you have no Right to the Election of any but what shall be approved of by this Board we are willing rather than the Countrys Business should be delayed to Admit of the Clerk nominated by you Pro hac Vice (salvo jure) but resent it that you Rejected the Clerk appointed by his Excellency without giving any Reason

Signed p Order Evan Jones Cl. Council

Col Cood and Captain Franklyn from the house enter the Council & deliver his Excellency the following Message.

By the House of Delegates 28 September 1708

p. 287 This house Humbly thank his Excellency for his favourable Condescension in approving of the Clerk by them Recommended and desire he May be qualified by taking the usual Oaths

Thomas Smithson, Speaker

To his Excellency the Governor & the Hoñble her Majestys Council in Assembly

Upon Reading of which his Excellency and this Board are pleased to admit of the said Dallam to be their Clerk Pro hac Vice and the said Dallam tooke the Oaths and Subscribed the Test in the Presence of Col Cood and Captain Franklyn and then Returned with the Members to their house.

In November Assembly 1708 Mr Philemon Hemsley and Mr Nathaniel Dare presented Mr Richard Dallam to his Excellency in Council who took the Oaths of Allegiance and Oath of Clerk of the house of Delegates and Signed the Declaration and Test

N. B. The Governors Approbation in this Instance is mentioned in express words in the Journal of the other house

In October Assembly 1709 Mr Worthington and Mr Tyler acquaint the Board from the house of Delegates that they have made choice of Mr William Taylard for their Clerk and desire he might be qualified

Ordered that Col Coursey and Mr Young acquaint the house of Delegates this Board are willing to qualify Mr William Taylard to act as Clerk of their house for this present Session

Mr Worthington and Mr Tyler came with Mr Taylard to see him sworn which was done Particularly for the present Session

N. B. The Councils Approbation in this Instance is mentioned in express words in the Journal of the Other house. U. H. J. Liber No. 34 May 24

In October Assembly 1712 Mr Daniel Mariartee and Mr James Lloyd from the house of Delegates came and Presented Mr Richard Dallam their Clerk to be sworn as such and the said Mr Dallam being approved of by the honourable President, was accordingly sworn and took the Oaths to the Government as well as that of Clerk to the house of Delegates.

In November Assembly 1713 Mr Tyler and Mr Mariartee Came and acquainted the honourable President and Council that their Clerk Mr Richard Dallam was gone home very much indisposed in his health so that they were at a great Loss, but desired that Mr Evan Jones might be sworn Clerk Assistant to the house of Delegates which was accordingly done in their presence the said Mr Jones taking the Oaths of Abjuration Allegiance and Abhorence and Oath of Clerk Assistant to the said Delegates and Subscribing the Oath of Abjuration and Test.

In June Assembly 1714 Mr Tyler and Mr Hoskins brought from the house as followeth p. 288

By the house of Delegates 26 June 1714.

This house wanting a Clerk to Supply the Place of Mr Richard Dallam who since Last Session of Assembly dyed, make Choice of Thomas Macnemara as Clerk of this house and humbly pray Your Excellencys Approbation of him and that he may be qualified by taking the Usual Oaths Robert Ungle Speaker

Upon which his Excellency was pleased to ask the Board if they had any Objections to the said Macnemara. They were not pleased to offer any wherefore His Excellency directed Lieut Col. Tilghman to go down to the house of Delegates and acquaint them he approves their Choice and wills them to present their Clerk in order to be qualified

Mr Tyler and Col Hoskins came from the Delegates and Presented Mr Thomas Macnemara to his Excellency to be qualified as Clerk of their house by taking the Usual Oaths according to Law & making the Requisite Subscription of the Test and Abjuration Oaths

And the said Oaths being Administred to him by the Honourable Col. Holland Chief Justice of the Provincial Court he took them at this Board in the Presence of the two Delegates aforesaid Subscribed the Test and Abjuration and took the Oath of Clerk of the house of Delegates

In April Assembly 1715 Mr Benjamin Tasker and Mr Thomas Holdsworth from the Delegates came and Presented Mr Thomas Macnemara their Clerk Elected to be qualified by taking the Oaths Appointed in the stead of the Oaths of Allegiance and Supremacy the Oath of Abjuration and Oath of Clerk of their house which was

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Administred by his Excellency the Governor, and the said M^r^ Macnemara in the presence of the said two Delegates Likewise subscribed the Oath of Abjuration & declaration commonly called the Test.

N. B. The Governors Approbation in this Instance is mentioned in Express words in the Journal of the other house

In May Assembly 1717 Captain Mariartee and M^r^ Stoddert from the Lower house present Michael Jenifer Gent. whom they have chose as Clerk, and being approved of takes the several Oaths appointed by the Act of Assembly to the Government and an Oath for the due Execution of his office

In May Assembly 1719 M^r^ John Rousby and M^r^ Philip Lee acquaint this house that they have made choice of Michael Jenifer Gent. to be their Clerk and accordingly Present him to be sworn

Thereupon the said Michael Jenifer qualified himself by taking the several Oaths appointed by Act of Assembly to be taken to the Government and the usual Oath of Clerk of the Lower house

N. B. The Governor's Approbation in this Instance is mentioned in express words in the Journal of the other house

p. 289 In October Assembly 1722 John Beal Esq^r^ and M^r^ Thomas Gant acquaint this house that their house had made choice of Michael Jenifer Gent for their Clerk & present him to be qualified.

Whereupon the said Michael Jenifer takes the Several Oaths to the Government appointed by Law and Likewise subscribes the Oath of Abjuration & Test

N. B The Governors Approbation in this Instance is mentioned in express words in the Journal of the Other house

In October Assembly 1725 M^r^ Crabb and M^r^ Hooper acquaint the house that their house had made Choice of Michael Jenifer Gent. for their Clerk and present him to be qualified

Whereupon the said Michael Jenifer takes the several Oaths to the Government required by Law and Likewise subscribes the Oath of Abjuration & Test.

In October Assembly 1727 M^r^ Justinian Jordan and Captain Waughop acquaint this house that they Attend with M^r^ Michael Jenifer Clerk of the Lower house to see him qualified

Whereupon the said Michael Jenifer takes the Oaths to his present Majesty appointed by Law and Likewise Subscribes the Oath of Abjuration and Test.

In October Assembly 1728 Daniel Dulany and John Beal Esq^rs^ from the Lower house Attend with M^r^ Michael Macnemara chosen by that house as Clerk thereof for his Excellencys approbation of which choice his Excellency is pleased to approve.

And thereupon the said Michael Macnemara takes the Oaths to the Government Appointed to be taken by Act of Assembly subscribed the Oath of Abjuration and Test & also took the Oath of Clerk of the Lower house U. H. J. Liber No. 34 May 24

In July Assembly 1731 M^r^ Dulany from the Lower house acquaints his Excellency that the house hath appointed M^r^ William Cuming to Act as the Clerk on behalf of M^r^ Michael Macnemara during the Absence of him the said Macnemara and hopes for his Excellencys Approbation, his Excellency is pleased to approve of the said M^r^ Cuming who takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribed Abjuration and Test according to the directions of the Act aforesaid and also took the Usual Oath of Office

In August Assembly 1731 M^r^ Beal and M^r^ Warfield from the Lower house acquaint his Excellency that the house hath appointed M^r^ Michael Macnemara their Clerk & hopes for his Excellencys approbation his Excellency is Pleased to approve of the s^d^ M^r^ Macnemara who takes the Oaths to the Government appointed to be taken by Act of Assembly and Subscribes the Abjuration and Test according to the directions of the Act aforesaid and also took the Usual Oath of Office

In July Assembly 1732 M^r^ Beal and M^r^ Warfield from the Lower house acquaint his Excellency that their house hath made choice of M^r^ Michael Macnemara for their Clerk and hopes for his Excellencys Approbation who is Pleased to approve of him the said Macnemara and thereupon he takes the Oaths to the Government appointed to be taken by Act of Assembly & Subscribed the Abjuration and Test and also takes the usual Oath of Office p. 290

In March Assembly 1734 Mess^rs^ Hammond and Hemsley from the Lower house acquaint his Excellency that their house hath made Choice of M^r^ Michael Macnemara for their Clerk and hopes for his Excellencys approbation who approves of the said Macnemara and thereupon he takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribes the Oath of Abjuration and Test according to the directions of the said Act and also takes the usual Oath of Office

In May Assembly 1738 Mess^rs^ Dulany and Denton from the Lower house acquaint His Excellency that their house have made Choice of M^r^ Michael Macnemara for Clerk and hopes for his Excellencys approbation to whom his Excellency is pleased to declare that he doth approve of M^r^ Michael Macnemara to be Clerk of the Lower house

Mess^rs^ Dulany and Denton from the Lower house attend with M^r^ Michael Macnemara Clerk of the said house in order to see him Qualified, who takes the Oaths to the Government appointed to be

U. H. J. Liber No. 34 May 24

taken by Act of Assembly and subscribes the Abjuration and Test according to the directions of the said Act and also takes the Usual Oath of Office

In May Assembly 1739 Mess[rs] Denton and Lloyd from the Lower house acquaint His Excellency that there house hath made Choice of M[r] Michael Macnemara for their Clerk and hopes for his Excellencys Approbation to whom His Excellency is pleased to declare that he doth approve of M[r] Michael Macnemara to be Clerk of the Lower house

Mess[rs] Denton & Lloyd from the Lower house attend with M[r] Michael Macnemara Clerk of the said House in Order to see him qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly & subscribes the Abjuration and Test according to the directions of the said Act and also takes the Usual Oath of Office.

In September Assembly 1742 Mess[rs] Dulany and Wootton from
p. 291 the Lower house acquaint his Excellency that their house hath made choice of M[r] Michael Macnemara for their Clerk and hopes for his Excellencys approbation, to whom his Excellency is Pleased to declare that he approves of their choice.

Mess[rs] Calder and Thomas from the Lower house attend with M[r] Michael Macnemara Clerk of the said house in order to see him qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribes the Abjuration and Test according to the directions of the said Act & also takes the usual Oath of Office

In August Assembly 1745 Mess[rs] Goldsborough and Henry from the Lower house acquaint his Excellency their house hath made choice of M[r] William Tilghman for their Clerk and hopes for his Excellencys approbation with which choice he declares himself well pleased

Mess[rs] Goldsborough & Henry attend with M[r] William Tilghman their Clerk in order to see him qualified who takes the several Oaths to the Government required by Law signs the Abjuration and Test & also takes the usual Oath of Office

In March Assembly 1745 Mess[rs] Lloyd & Harrison from the Lower house acquaint his Excellency that their house hath made choice of M[r] William Tilghman for their Clerk & hopes for his Excellencys approbation to whom his Excellency is Pleased to declare that he approves of their Choice.

Mess[rs] Lloyd and Harrison from the Lower house Attend with M[r] William Tilghman Clerk of the said house to see him qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribes the Abjuration and Test and also takes the usual Oath of Office

In November Assembly 1746 Mess[rs] Key & Gresham from the Lower house acquaint his Excellency that their house had made choice of M[r] Michael Macnemara for their Clerk in the Room of M[r] William Tilghman who hath resigned and hopes for his Excellencys Approbation to whom his Excellency is pleased to declare that he approves their Choice. U. H. J. Liber No. 34 May 24

Mess[rs] Key & Gresham from the Lower house attend with M[r] Macnemara Clerk of the said house in order to see him qualified, who takes the several Oaths to the Government Required by Law, Repeates and Subscribes the Abjuration and Test and also takes the Usual Oath of Office

Extracts from the Journals of the Lower house of Assembly

In April Assembly 1666 Is the following Entry And being come into their house they Elected M[r] William Bretton Clerk of the Lower house of Assembly.

In May Assembly 1676 M[r] Speaker in behalf and by order of the whole house humbly Requests of His Lordship Liberty to chuse their Clerk which his Lordship Grants as a particular favour to them and not to be construed as their Right to elect but that his Lordship may appoint whom he pleases to be Clerk of this house they elect Robert Ridgeley to be their Clerk, his Lordship approves of him & they Retire to their own house p. 292

In October Assembly 1683 Where M[r] Speaker having taken the Chair Charles Boteler Produceth a Patent under the Lesser Seal of this Province signed by the Right honourable the Lord Proprietary for the Clerkship of the Lower house of Assembly which being Read was admitted by this house.

In October Assembly 1686 The Government having by Commission under the Great Seal appointed M[r] William Dent their Clerk who was recommended as a Person fit and capable to Serve them.

In May Assembly 1692 Then was Henry Denton Likewise voted Clerk of this house

In September Assembly 1694 The Speaker and the house desire that Clayborn Lomax may be admited their Clerk which was Granted and a Commission given him under the Lesser Seal of this Province and at the same time had Administred unto him the Oaths appointed by Act of Parliament instead of the Oaths of Allegiance and Supremacy as also the usual Oath as Clerk of this house and Likewise signed the Test which was signified to the house by the following Message

By his Excellency the Governor & Council 21 September 1694

Cleyborn Lomax having received a Commission at this Board for being Clerk of your house had Administred unto him the Oath appointed by Act of Parliament instead of the Oaths of Allegiance

U. H. J. Liber No. 34 May 24 and Supremacy as also the Usual Oath of Clerk of that house & Likewise Subscribed the Test

Signed p Order Hen: Denton Cl. Coun.

And Likewise the said Clayborn Lomax had Likewise a Copy of the Clerks Oath for the satisfaction of this house.

In May Assembly 1701 William Taylard being Elected and chosen Clerk of this house Ordered that Mr Samuel Young and George Muschamp Esqr go to his Excellency and signify their choice of their Clerk and humbly desire he may be sworn & qualified they return and say they saw him sworn

N. B. The Governor's Approbation in this Instance is mentioned in express words in the Journal of the other house

In September Assembly 1708 Mr Hunt & Mr Vanderheyden sent
p. 293 to his Excellency & Council to acquaint them that this house had made Choice of Richard Dallam for their Clerk & Pray his Excellencys approbation and that he may be qualified accordingly they return and say they delivered their Message & that his Excellency will send an Answer Presently

The Honourable Kenelmn Cheseldine Esqr from the Council enters the house and acquaints Mr Speaker that his Excellency and Council desires this house to explain themselves whether they sent Richard Dallam to his Excellency for his Approbation as Clerk of this house and then withdrew

Thereupon the following Message was sent to his Excellency and Council by Mr Hunt & Mr Vanderheyden

By the house of Delegates 28 September 1708

The house humbly recommend Richard Dallam to his Excellency for his approbation to be their Clerk

Thomas Smithson, Speaker.

To his Excellency the Governor & the Honble her Majesty's Council in Assembly

Mr Cheseldine from the Council enters the house and delivers Mr Speaker the following Message.

By the Governor & Council in Assembly 28 September 1708

Mr Speaker Thô we are well Satisfied it is her Majestys Prerogative to appoint Proper Officers to attend the Assembly and that you have no right to Election of any but what shall be Approved of by this Board, we are willing rather than the Countrys Business should be delayed to admit of the Clerk nominated by you Pro hac Vice (salvo Jure) but resent it that you Rejected the Clerk appointed by his Excellency without giving any Reason

Signed p Order Evan Jones Cl. Conn.

Thereupon Col Coode and Captain Franklyn were sent up to the Council together with the said Richard Dallam to his Excellency & Council with the following Message

By the house of Delegates 28 September 1708 U. H. J. Liber No. 34 May 24

This house humbly thank his Excellency for his favourable Condescension in approving of the Clerk by Us recommended and desire he may be qualified by taking the usual Oaths

Thomas Smithson, Speaker.

To his Excellency the Governor & the Hoñble her Majestys Council in Assembly.

They return and say they delivered their Message and have seen the said Richard Dallam qualified

In November Assembly 1708 Then the house made Choice of Richard Dallam for their Clerk, Ordered that M^r^ Nathaniel Dare and M^r^ Philemon Hemsley go with the Clerk and Present him to his Excellency for approbation and to see him Qualified if approved, they return and say they saw the Clerk qualified by taking the usual Oaths his Excellency having approved of him p. 294

In October Assembly 1709 Upon which the house made Choice of William Taylard to be their Clerk in the Room of M^r^ Richard Dallam who lies very sick, and Ordered that M^r^ Robert Tyler and M^r^ Worthington go with him and present him to the honourable Council for Approbation and to see him qualified, they return and say they saw the Clerk qualified by taking the usual Oaths & Signing the Test &c^a^ the Council having approved of him

In October Assembly 1712 The house made Choice of M^r^ Richard Dallam to be their Clerk Ordered M^r^ Daniel Mariartee and M^r^ James Loyd go and Present him to the honourable President and Council for their approbation and to see him qualified they return and say that the honourable President approves of the Clerk & that he is qualified.

In November Assembly 1713. M^r^ Richard Dallam the Clerk of this house being very sick had Leave to go home therefore Ordered that M^r^ Tyler and M^r^ Mariartee attend M^r^ Evan Jones to the Council to see him sworn and qualified to be duputy Clerk of this house, they Return and say they saw him qualified

In June Assembly 1714 This house wanting a Clerk to supply the Place of M^r^ Richard Dallam who since last Session of Assembly died make choice of Thomas Macnemara as Clerk of this house and humbly Prays his Excellencys approbation of him and that he may be qualified by taking the Usual Oaths Ordered that Coł. Hoskins and M^r^ Tyler acquaint his Excellency the Governor therewith they Return and say they delivered their Message.

Coł. Richard Tilghman from the honourable Council came & acquainted the House that his Excellency the Governor approved of the Choice made of the Clerk of this house and desired he may be sent up to the Council Chamber to be qualified

U. H. J. Liber No. 34 May 24

Ordered that Mr Robert Tyler and Col Philip Hoskins go along with Thomas Macnemara the Clerk Chosen to the Council Chamber to see him qualified by taking the usual Oaths; they return and say they see him take the usual Oaths and the Oath of Clerk of this house.

In April Assembly 1715 Thereupon the house made choice of Thomas Macnemara for their Clerk And Ordered that Mr Benjamin
p. 295 Tasker & Mr Thomas Holdsworth go and present him to his Excellency the Governor for his approbation and to see him qualified by taking the usual Oaths, They Return & say that his Excellency approved of the Clerk and that he is qualified.

In April Assembly 1716 The house made choice of Thomas Macnemara their Clerk and Ordered that Mr James Stoddert and Captain James Frisby go and present him to His Excellency the Governor for his approbation and to see him qualified by taking the usual Oaths, they Return and say that his Excellency approved of the Clerk chosen and that he is duly qualified

In May Assembly 1717 The house wanting a Clerk to Supply the place of Thomas Macnemara Esqr being absent from this Province make choice of Michael Jenifer to be Clerk of this house who according to the Act of Assembly of this Province Entituled an Act for the better security of the Peace & Safety of his Lordships Government and the Protestant Interest within this Province took the severall Oaths thereby Directed and also the Oath of a Clerk to this house his Excellency the Governor and Council not being then sitting

Ordered that Mr Mariartee and Mr Stoddert go and acquaint his Excellency of the choice of Michael Jenifer for the Clerk and that they Present him to his Excellency and that they see him qualified

They return and say his Excellency approves of him and that they see him qualified by taking the Oath of Clerk of this house & the several Oaths according to Law

In May Assembly 1719 The house proceeds to the choice of their Clerk where upon Michael Jenifer is unanimously chosen ordered that John Rousby and Mr Philip Lee go to the Upper house to Present the said Michael Jenifer for his Excellencys Approbation and to see him qualified they return and say they see him qualified by taking the Oaths according to Act of Assembly & subscribing the Test & taking the Oath of Clerk

In October Assembly 1722 Then the house Proceeds to the choice of a Clerk Michael Jenifer is unanimously chosen as Clerk, Ordered that John Beal Esqr and Mr Thomas Gant go to the Upper house for his honour the Governor's approbation and to see him qualified they Return and say they see him qualified by taking the several Oaths appointed by Act of Assembly and subscribing the Test

Afterwards the said Michael in the house before the honourable James Stoddert Esq^{r} one of the Justices of the Provincial Court and a Member of this house took the Oath of Clerk thereupon the said Michael is admitted as Clerk U. H. J. Liber No. 34 May 24

In October Assembly 1725 The House proceeds to chuse their Clerk and Michael Jenifer is unanimously chosen, Ordered that M^{r} Crabb and Captain Hooper go to the Upper house to see him qualified, they Return and say they see him qualified whereupon the said Michael Jenifer takes the usual Oath of Clerk before the honourable James Stoddert Esq^{r} a Member of this house. p. 296

In October Assembly 1727 Ordered that Captain Jordon and M^{r} Waughop go to the Upper house to see Michael Jenifer the Clerk of this house qualified they Return and say they see him qualified

In October Assembly 1728 The Members Present yesterday in conformity to the Last days Adjournment this day met and being incapable of Proceeding any further in Business (with conveniency) through the want of a Clerk, made choice of M^{r} Michael Macnemara as Clerk of this house, Ordered that M^{r} Beal and M^{r} Dulany go to the Upper house to see M^{r} Macnemara qualified as Clerk to this house they Return and acquaint the house that they saw him qualified by taking the several Oaths required by Law repeating the Test signing the said several Oaths and Test and taking the Oath of Office

N. B. The Governors approbation in this Instance is mentioned in express words in the Journal of the other house.

In July Assembly 1731 Thereupon the house make choice of the aforesaid William Cuming as their Clerk in the Room of the said Michael Macnemara during this Session of Assembly and humbly Prays his Excellencys Approbation of him and that he may be qualified by taking the usual Oaths.

Ordered that Daniel Dulany Esq^{r} acquaint the Governor therewith who returned and said that he delivered his Message and that the said Cumings was approved of and qualified before the Governor in the Upper house by taking the several Oaths to the Government and taking the usual Oath of Clerk

In August Assembly 1731 M^{r} Beal and M^{r} Warfield were ordered to attend the Governor in Order to acquaint him that this house hath chose M^{r} Michael Macnemara to be their Clerk and that the house desired his approbation thereto

They return and Acquaint the house they delivered their Message & that the Governor was pleased to approve of the said Macnemara and that they saw him qualified before his Excellency the Governor in the Upper house as Clerk of this house by taking the several Oaths Required by Law repeating the Test and signing the Oath of Abjuration and Test & by taking the Oath of Office

U. H. J. Liber No. 34 May 24 p. 297

In July Assembly 1732 The house being incapable of Proceeding any further on Business (with conveniency) through the want of a Clerk made choice of Mr Michael Macnemara the late Clerk, Mr Beal and Mr Warfield were Ordered to go to the Upper house to see Mr Macnemara qualified as Clerk of this house they Return and acquaint the house that they saw him qualified by taking the several Oaths to the Government required by Law repeating the Test signing the said several Oaths and Test and taking the Oath of Office

N. B. The Governors approbation in this Instance is mentioned in express words in the Journal of the other house.

In March Assembly 1734 The house Proceed to the Choice of a Clerk and chose Mr Michael Macnemara, Mr Hammond and Mr Hemsley were sent to the Upper house to present Mr Macnemara to the Governor for his approbation and to see him qualified, They return & acquaint Mr Speaker the Governor approved of the Choice and that they saw the said Macnemara there qualified by his taking the several Oaths to the Government required by Law and Repeating and Signing the Test and taking the Oath of Office

In May Assembly 1738 The house made choice of Mr Michael Macnemara for their Clerk, Mr Dulany & Mr Denton Ordered to acquaint the Governor this house hath appointed Mr Michael Macnemara Clerk to this house and to desire his approbation they return and acquaint Mr Speaker the Governor approved the Choice.

Mr Dulany and Mr Denton sent to the Upper house to see Mr Macnemara qualify himself as Clerk they Return & acquaint Mr Speaker they saw the said Macnemara qualify himself by taking the several Oaths to the Government required by Law and by signing the said Oaths & by Repeating & Signing the Test & taking the Oath of Clerk

In May Assembly 1739 The house made choice of Mr Michael Macnemara for Clerk Mr Denton & Mr Edward Loyd Ordered to acquaint the Governor therewith and to desire his approbation they Return and Acquaint Mr Speaker the Governor approved the Choice

Mr Denton & Mr Loyd sent to the Upper house to see Mr Macnemara qualify himself as Clerk they return and acquaint Mr Speaker they saw the said Macnemara qualify himself by taking the usual Oaths to the Government required by Law & by signing the said Oaths & by Repeating & Signing the Test & taking the Oath of Clerk

In September Assembly 1742 The house made Choice of Mr Michael Macnemara for Clerk Mr Dulany & Mr Wootton Ordered to acquaint his Excellency with their Choice of Clerk, which on their Return they acquainted Mr Speaker he approved

Mr Calder and Mr Thomas sent to the Upper house to see Mr Macnemara qualify himself, they Return and acquaint Mr Speaker

the Clerk had taken the several Oaths to the Government Required by Law Signed the Oath of Abjuration Repeated and Signed the Test and took the Oath of Clerk. U. H. J. Liber No. 34 May 24

In August Assembly 1745 On Motion William Tilghman is made Clerk of the Lower house p. 298

Mr Nicholas Goldsborough and Col Henry are ordered to acquaint his Excellency with their choice and to desire his approbation thereof, they return and acquaint Mr Speaker they delivered their Message and the Governor was Pleased to approve of their Choice

Mr Nicholas Goldsborough and Col. Henry are sent to the Upper house to see Mr Tilghman qualified as Clerk of this house they Return & acquaint Mr Speaker that they saw the Clerk take the several Oaths to the Government Required by Law sign the Oath of Abjuration repeat and sign the Test & take the Oath of Clerk

In March Assembly 1745 They make Choice of Mr William Tilghman to be their Clerk and Mr Loyd and Mr Harrison are ordered to acquaint his Excellency therewith and to desire his approbation. They Return and acquaint Mr Speaker they Delivered their Message and that the Governor was pleased to approve of their Choice of a Clark, The same Gentlemen are sent with Mr Tilghman to the Upper house to see him qualified They return and acquaint Mr Speaker they saw him qualified by taking the several Oaths to the Government Signing the Oath of abjuration repeating & signing the Test and taking the usual Oath of Office

In November Assembly 1746 The house made Choice of Mr Macnemara for Clerk

Mr Key and Mr Gresham are ordered to acquaint his Excellency that this house had made Choice of Mr Macnemara for their Clerk and desires his approbation they Return and acquaint Mr Speaker they had delivered their Message and the Governor was pleased to approve the choice

Messrs Key and Richard Gresham were sent to the Upper house to see Mr Macnemara qualified as Clerk of this house, they Return & acquaint Mr Speaker that they saw the Clerk take the several Oaths to the Government Required by Law sign the Oath of Abjuration repeat and sign the Test and take the Oath of Clerk

Messrs Hooper and Goldsborough from the Lower house attend with Mr Daniel Sullyvan a Member elected for Dorchester County to see him qualified, who takes the several Oaths to the Government Required by Law Repeats & subscribes the Abjuration and Test and then withdraw

Adjourned till to Morrow Morning ten of the Clock.

U. H. J.
Liber No. 34
May 25

Thursday Morning 25 May 1749

This house met again according to Adjournment

Present as Yesterday with the Addition of Philip Thomas Esq[r]

p. 299 Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

May 26

Friday Morning the 26 May 1749.

This house met again according to Adjournment

Present as yesterday

Ordered by his Excellency the Governor that the Address of the Lower house presented to him in the Conference Chamber by Col Hooper and several Others be here Entered and also his Excellencys Answer thereto.

To His Excellency Samuel Ogle Esq[r] Governor of Maryland

The humble Address of the house of Delegates

May it please your Excellency

Agreeable to our Address of yesterday to your Excellency We have taken the Subject Matter of your Speech at the Opening of this Session relating to the Clerk of this house into our most Serious Consideration And We assure your Excellency with the greatest Sincerity that the manner of sending him up at the last Meeting did not proceed from any intention of infringing the Rights of the Government or to shew the least disregard to your Administration but from an Opinion that we were supported therein by the Journals of our own house

In order therefore to evince the sincere desire we have to preserve a good understanding with your Excellency and Mutually to concurr in Promoting the real Ease and Happiness of the People of Maryland, We have come to the Resolution of sending up our Clerk for your Excellencys Approbation in full hopes from your good disposition towards them expressed in your Excellencys Speech that no determination made by Us out of your great desire of keeping up good Harmony will be construed to affect the Rights of those We represent.

26 May 1749 Read and Assented to by the Lower house of Assembly Signed p Order

Phil Hammond Speaker

Gentlemen of the Lower house of Assembly U. H. J. Liber No. 34

It is a great satisfaction to me to find that you have come to a Resolution of Presenting your Clerk for Approbation in the usual Manner, and I am persuaded this Method so agreeable to and Confirmed by repeated Usage will never be thought to affect any real Privilege of your house or the Rights of those you represent May 26

Sam: Ogle

Adjourned till 3 of the Clock in the afternoon p. 300

Eodem Die post Meridiem

This house met again according to Adjournment Mess[rs] Hooper and Scarburgh from the Lower house acquaint his Excellency their house hath made choice of M[r] Michael Macnemara for their Clerk and hopes for his Excellencys Approbation, to whom his Excellency is pleased to declare, that he doth approve of their choice thereupon the said Michael Macnemara takes the Oaths to the Government required by Law repeats and subscribes the Abjuration and Test & also takes the usual Oath of Office.

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 27 May 1749 May 27

This house met again according to Adjournment

Present as Yesterday

Adjourned till Monday Morning ten of the Clock

Monday Morning 29 May 1749 May 29

This house met again according to Adjournment

Present

The Hoñble	Benjamin Tasker Esq[r]	Daniel Dulany Esq[r]
	Col George Plater	Col Edward Lloyd
	Edmund Jenings Esq[re]	Benjamin Young Esq[r]
	Col Charles Hammond	Richard Lee Esq[r]
	Samuel Chamberlaine Esq[r]	Benedict Calvert Esq[r]

A Message from the Lower house by Mess[rs] Barnes and Goldsborough

By the Lower house of Assembly 29 May 1749

May it please Your Honours. This house hath appointed Major Sheredine Captain Tilghman Major Barnes Col John Henry Captain Zachariah Bond M[r] John Goldsborough M[r] Murdock Captain Lux and M[r] Richard Loyd a Committee from this house to inspect the Accounts & Proceedings of the Commissioners for emiting Bills of

C. H. J. Liber No. 14 May 29 Credit Established by Act of Assembly; and desire your Honours to appoint one or more of the Members of your house to join in the said Committee.

Signed p Order M Macnemara Cl. Lo. Ho.

The following Message is sent by Benedict Calvert Esq^r^

By the Upper house of Assembly 29 May 1749

Gentlemen This house hath appointed Samuel Chamberlaine Esq^r^ p 301 to joyn the Members named by your House in a Committee to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office

Signed p Order John Ross Cl Up H.

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the addition of Philip Thomas Esq^r^

Adjourned till to Morrow Morning ten of the Clock.

May 30 Tuesday Morning 30 May 1749

This house met again according to Adjournment

Present as yesterday

A Bill from the Lower house by Mess^rs^ Hooper and Mackall Entituled An Act enlarging the time for Receiving and Paying the Publick & County Levies Parochial Charges Clergys Allowances Attorneys and officers fees for this present year thus Endorsed

By the Lower house of Assembly 29 May 1749

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 30 May 1749

Read the Second time & will pass.

Signed p Order M Macnemara Cl. Lo. H.

Read the first time in this house and Ordered to Lye on the Table

A Bill from the Lower house by Mess^rs^ Henry and Sullyvan Entituled An Act to continue such Actions now depending in the Provincial Court as by Law ought to have been determined in May Provincial Court one thousand Seven hundred forty and nine thus Endorsed

By the Lower house of Assembly 29 May 1749

Read the first time and Ordered to lye on the Table.

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 30 May 1749 U. H. J. Liber No. 34 May 30
Read the second time and will pass.
Signed p Order M Macnemara Cl. Lo H.
Read the first time in this house and Ordered to Lye on the Table.
Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 31 May 1749 May 31

This house met again according to adjournment

Present as yesterday

A Bill from the Lower house by Mr Buchanan and Paca Entituled p. 302
An Act to enable the Justices of Baltimore County Court for the time being to assess and Levy on the Taxable Inhabitants of the said County a Quantity of Tobacco for the uses therein mentioned thus Endorsed

By the Lower house of Assembly 29 May 1749
Read the first time and Ordered to lye on the Table
Signed p Order M Macnemara Cl Lo H.
By the Lower house of Assembly 31 May 1749
Read the second time and will pass
Signed p Order Macnemara Cl Lo H.
Read the first time in this house and Ordered to lye on the Table

Read the second time the Bill Entituled an Act enlarging the time for receiving and Paying the Publick and County Levys Parochial Charges Clergys Allowances Attorneys and Officers fees for this Present year, & will pass, the words, nor to sell or dispose of any Goods or Chattels so distrained, untill the Expiration of five days after such distress shall be made, being inserted between the words next, and, any, in the 4th Line of the second Page

Read the second time the Bill Entituled an Act to Continue such Actions now depending in the Provincial Court as by Law ought to have been determined in May Provincial Court one thousand seven hundred forty & nine, and will pass, the words, End of the next Provincial Court to be held on the, being inserted between the words the, and third, in the 8 Line sent by Daniel Dulany Esquire

Read the Petition of several of the Inhabitants of Charles County praying a Warehouse may be appointed at Allens fresh in the said County; the Petition of several Inhabitants of Calvert County praying a Warehouse May be appointed at Hunting Town in the said County the Petition of several of the Inhabitants of Queen Anns County praying the Inspection houses at Porters and Wells Landing in the said County may be under seperate Inspections; the Petition of the Vestrymen & Churchwardens of All Saints Parish in Calvert County praying an Additional Salary may be given to the Inspectors

U. H. J. Liber No. 34 May 31 p. 303 at Lower Marlborough in the said County the Petition of several Inhabitants of S[t] Marys County Praying a Warehouse may be appointed at Clements Bay and also on Samuel Ashcombs Land in the said County, Referred to the Consideration of the Lower house and sent by Col[o] Lloyd

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

The house met again according to Adjournment

Present as in the Morning

Read the Petition of several Inhabitants in Kent County Praying a further Allowance may be made for distroying Crows Squirrels & for destroying Red foxes and Eagles in the said County; referred to the Consideration of the Lower house and sent by Philip Thomas Esquire.

Adjourned till to Morrow Morning ten of the Clock

June 1 Thursday Morning the 1[st] June 1749

This house met again according to Adjournment

Present as yesterday except Benjamin Young Esq[r]

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Two Engrossed Bills from the Lower house by Mess[rs] Henry & Lux One Entituled an Act enlarging the time for Receiving and Paying the Publick and County Levies, Parochial Charges Clergys Allowances Attorneys and Officers fees for this present year; the other Entituled an Act to continue such Actions now depending in the Provincial Court as by Law ought to have been determined in May Provincial Court One thousand Seven hundred forty & Nine, Severally thus subscribed. 1[st] June 1749

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl[k] Lo H.

Read and assented to by this house and Ordered to be so subscribed

A Bill from the Lower house by Mess[rs] Wootton & Hooper Entituled an Act for issuing Writts of Replevin out of the County Courts of this Province, thus Endorsed

By the Lower house of Assembly 30 May 1749 U. H. J. Liber No. 34 June 1
Read the first time and Ordered to Lye on the Table
Signed p Order M Macnemara Ct Lo H.
By the Lower house of Assembly 1st June 1749.
Read the second time and will pass.
Signed p Order M. Macnemara Ct. Lo H.
Read the first time in this house and Ordered to Lye on the Table
Adjourned till to Morrow Morning ten of the Clock.

Friday Morning 2d June 1749 June 2 p. 304
This house met again according to Adjournment

Present as yesterday
Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Messrs Bordley & Mackall Entituled an Act to abolish June County Courts throughout this Province thus Endorsed

By the Lower house of Assembly 1st June 1749
Read the first time and Ordered to Lye on the Table
Signed p Order M Macnemara Ct Lo H.
By the Lower house of Assembly 2d June 1749
Read the second time and will pass.
Signed p Order M Macnemara Ct Lo H.
Read the first time in this house and Ordered to Lye on the Table

Read the second time the Bill Entituled an Act for issuing Writts of Replevin out of the County Courts of this Province, and will not pass sent by Samuel Chamberlaine Esquire

Read the Petition of several Inhabitants of Charles County Praying a Warehouse may be appointed at the Landing of John Boarman on Wicomoco River and under the same Inspection with that at Cedar Point; the Petition of the Rector Vestrymen Church wardens & Parishioners of Somerset Parish in Somerset County Praying a Division of Stepney Parish and that the same may be Added to Somerset Parish; the Petition of the Vestrymen & Churchwardens of Stepney Parish in Somerset County Praying a division of the said Parish after the Death of the present Incumbent; the Petition of several of the Inhabitants of the Upper Part of Stepney Parish Lying in Worcester County praying that a Chappel of Ease may be erected in the said Parish; the Petition of the Rector Vestrymen

U. H. J. Liber No. 34 June 2

Churchwardens & others Inhabitants of S[t] Pauls Parish in Baltimore County Praying a Chappel of Ease may be built in the said Parish; Referred to the Consideration of the Lower house and sent by Col[o] Hammond

Read the Petition of several the Parishioners of S[t] Georges Parish in Baltimore County Praying a Division may be made of the said Parish, Rejected

p. 305

Read the Petition of Catherine Pritchard of Ann Arundel County praying Relief; the Petition of the Reverend Hugh Jones of Cecil County praying a Square of four acres of the Glebe Land of St. Stephens Parish in the said County may be confirmed to him an his heirs He having for the conveniency of the Neighbourhood erected an Horizontal Wind Mill on the said Land; the Petition of Anthony Holland of Ann Arundel County praying Leave to bring in a Bill to cut off the Entail of a Tract of Land lying in the said County called Hollands Choice and to Entail other Lands in Lieu thereof; Referred to the consideration of the Lower house, and sent by Edmund Jenings Esquire

Adjourned till to Morrow Morning ten of the Clock

June 3

Saturday Morning 3[d] June 1749

This house met again according to Adjournment

Present as yesterday

Adjourned till Monday Morning ten of the Clock.

June 5

Monday Morning 5 June 1749

This House met again according to Adjournment

Present

The Honourable { Benjamin Tasker Esq[r], Col. George Plater, Edmund Jenings Esq[r], Col[o] Charles Hammond, Samuel Chamberlain Esq[r] } Philip Thomas Esq[r], Daniel Dulany Esq[r], Richard Lee Esq[r], Benedict Calvert Esq[r]

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The Paper Bill Entituled an Act enlarging the time for Receiving & Paying the Publick and County Levies Parochial Charges Clergys Allowances Attorneys and Officers fees; thus Endorsed, The En-

grossed Bill whereof this is the Original is Read and assented to, Sent to the Lower house by Col Plater U. H. J. Liber No. 34 June 5

Adjourned till to Morrow Morning ten of the Clock.

Tuesday Morning 6 June 1749 June 6

This house met again according to Adjournment

Present as yesterday

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 7 June 1749 June 7 p. 306

This house met again according to Adjournment

Present as Yesterday

Samuel Chamberlain Esq^{r} is sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower house in the Upper house to see the Bill Entituled an Act enlarging the time for receiving & Paying the Publick and County Levies Parochial charges Clergys Allowances Attorneys and Officers fees for this present year; which has passed both houses this Session receive the Assent.

The Lower house attend and by their Speaker present to his Excellency the aforegoing Bill, which his Excellency is pleased to pass into a Law in the usual manner by Sealing with the Right honourable the Lord Proprietary his Great seal at Arms, and Subscribing on behalf of the Right honourable the Lord Proprietary of this Province I will this be a Law

Read the Petition of several the Inhabitants of Frederick County praying that they may be exempt from the Bounty allowed by Law for Killing Wolves and Squirrels many Wolves heads being brought from Virginia, and Pensylvania into the said County and Allowed for, also for the killing of Ground Squirrels, which allowances make the County charge very heavy to them; Referred to the consideration of the Lower house and sent by Benedict Calvert Esquire

Adjourned till 3 of the Clock in the Afternoon

U. H. J. Liber No. 34 June 7

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

June 8

Thursday Morning 8 June 1749

This house met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

June 9

Friday Morning 9th June 1749

This house met again according to Adjournment

Present as Yesterday

Read the Petition of sundry Inhabitants of Baltimore County praying that the part of the Act of Assembly which exempts the Persons working at Iron works from assisting in repairing the Publick Roads may be repealed; the Petition of the Vestrymen and Church wardens of King and Queen Parish in St. Marys County Praying that the Glebe Land may be sold and another Peice of Land may be purchased for a Glebe for the said Parish Referred to the Consideration of the Lower house, sent by Benedict Calvert Esqr

p. 307

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

June 10

Saturday Morning 10 June 1749

This house met again according to Adjournment

Present as yesterday

Adjourned till Monday Morning ten of the Clock

Monday Morning 12 June 1749 U. H. J. Liber No. 34 June 12

This house met again according to Adjournment

Present

The Honourable { Benjamin Tasker Esq[r], Col George Plater, Edmund Jenings Esq[r], Col Charles Hammond, Samuel Chamberlain Esq[r], Daniel Dulany Esq[r], Col. Edward Lloyd, Richard Lee Esq[r], Benedict Calvert Esq[r] }

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas Esq[r]

A Bill from the Lower house by Mess[rs] Sheredine and Owings Entituled An Act to prohibit the raising of Swine and Geese in the Town of Bladensburgh in Prince Georges County; thus Endorsed

By the Lower house of Assembly 7[th] June 1749

Read the first time and Ordered to lye on the Table.

Signed p Order M Macnemara Cl Lo H

By the Lower house of Assembly 12 June 1749

Read the second time and will pass

Signed p Order M Macnemara Cl Lo. H.

Read the first Time in this house and Ordered to Lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 13 June 1749 June 13

This house met again according to Adjournment

Present as yesterday p. 308

A Bill from the Lower house by Mess[rs] Mackall & Bond Entituled an Act empowering the justices of Calvert County Court to Assess and Levy on the Taxable Inhabitants of the said County a Sum not exceeding One thousand pounds Current Money and to empower certain Commissioners therein named to appropriate the same towards Building finishing and Compleating a new County Court house for the said County, thus Endorsed

By the Lower house of Assembly 1 June 1749

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

U. H. J. Liber No. 34 June 13

By the Lower house of Assembly 13 June 1749
Read the second time and will pass
Signed p Order M Macnemara Cl. Lo. H

Read the first Time in this house and Ordered to Lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Messrs Buchanan & Mackall Entituled an Act repealing part of an Act Entituled an Act to encourage the destroying of Wolves Crows and Squirrels thus Endorsed

By the Lower house of Assembly 5 June 1749
Read the first time and Ordered to Lye on the Table
Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 13 June 1749
Read the second time and will pass
Signed p Order M Macnemara Cl Lo. H.

Read the first time in this house and Ordered to Lye on the Table

Read the second time the Bill Entituled an Act to Abolish June County Courts throughout this Province and will not pass, sent by Richard Lee Esquire

A Bill from the Lower house by Messrs Handy & Crabb Entituled an Act for ascertaining the Allowance of Petit Jurors attending the Provincial Court to limit Costs with respect to Evidences & for settling their allowances as to itinerant Charges, thus Endorsed p. 309

By the Lower house of Assembly 2 June 1749
Read the first time and Ordered to Lye on the Table
Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 13 June 1749
Read the second time and will pass
Signed p Order M Macnemara Cl. Lo. H.

Read the first time in this house and Ordered to Lye on the Table

Read the Petition of the Inspectors at Bruffs Landing and at Oldfield Landing in Talbot County praying that the same may be made seperate Inspections; the Petition of the Rector Vestrymen and Churchwardens of King Georges Parish in Prince Georges County praying that the sum of One hundred and fifty pounds may be Levyed upon the Inhabitants of the said Parish towards compleating two Chappels of Ease in the said Parish; the Petition of Araminta Mackey Widow Executrix of William Alexander late of

Cecil County Gent. deceased praying Leave to bring in a Bill to sell a House & Lott in the said City of Annapolis belonging to the Estate of the said Alexander and the Money arising by such Sale to be Applyed towards the Payment of his Debts; Referred to the Consideration of the Lower house & sent by Coł Lloyd. U. H. J. Liber No. 34 June 13

A Bill from the Lower house by Mess[rs] Henry & five Others Entituled an Act for the Tryall of all Matters of Fact in the several Counties where they have arisen or shall arise, thus Endorsed

By the Lower house of Assembly 31 May 1749

Read the first time and Ordered to Lye on the Table

Signed ꝑ Order M Macnemara Cł Lo H.

By the Lower house of Assembly 13 June 1749

Read the second time and will pass

Signed ꝑ Order M Macnemara Cł Lo H.

Read the first time in this house and Ordered to Lye on the Table.

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 14 June 1749 June 14

This house met again according to Adjournment

Present as Yesterday

Read the Petition of Several the Inhabitants of Calvert County praying a warehouse may be appointed on the Bay side in Calvert County; Referred to the Consideration of the Lower house & sent By Coł Lloyd

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem p. 310

This house met again according to Adjournment

Present as in the morning

Read the second time the Bill Entituled an Act to enable the justices of Baltimore County Court for the time being to Levy on the Taxable Inhabitants of the said County a Quantity of Tobacco for the uses therein mentioned; and the Bill Entituled an Act empowering the Justices of Calvert County Court to assess and Levy on the Taxable Inhabitants of the said County a sum not exceeding One thousand pounds Current Money and to empower certain Commissioners therein named to appropriate the same towards building finishing & Compleating a new County Court house for the said County passed and sent by Richard Lee Esq[r]

Adjourned till to Morrow Morning ten of the Clock.

C. H. J. Liber No. 34 June 15

Thursday Morning 15 June 1749

This house met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled an Act repeating Part of an Act Entituled an Act to encourage the Destroying of Wolves Crows and Squirrels; and will pass the following Clause being Added thereto. This Act to continue for three years and to the End of the next Session of Assembly which shall happen after the End of the said three years; Read the second time the Bill Entituled an Act to prohibit the raising of swine and Geese in the Town of Bladensburgh in Prince Georges County and will pass with the following Amendments. after the word Geese in the 6th Line, Leave out the Clause to the End of the Bill and insert the following; On the forfeiture and Penalty of five shillings for every such Transgression, one half thereof to be applyed to the Use of the Lord Proprietary for the support of Government and the Other half to the Use of the Informer to be Recovered in the same manner as small debts before a single Magistrate within one month after such offence.

Read the second time the Bill Entituled an Act for ascertaining the Allowance of Petit Jurors attending the Provincial Court to limit Costs with Respect to Evidences and for settling their allowances as to itinerant Charges; and will pass with the following amendments; In the Title of the Bill instead of the word, Evidences, put witnesses, in the second Line of the Last Page instead of the word to, before, attend, put and, in the same Line Leave out the words, as Evidences, in the fourth Line of the same Page instead of the words an Evidence, put a Witness; sent by Col Hammond

Adjourned till 3 of the Clock in the afternoon

p. 311

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the first time the Bill prepared in this house Entituled an Act for the further Regulation of Proceedings on attachments; Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

June 16

Friday Morning 16 June 1749

This house met again according to Adjournment

Present as Yesterday Except Philip Thomas Esqr

A Bill from the Lower house by Messrs Waggerman and Lecompte Entituled an Act to prevent Persons holding offices and Places of Profit and Trust from serving in Assembly; thus Endorsed

By the Lower house of Assembly 15 June 1749 U. H. J. Liber No. 34 June 16
Read the first time and Ordered to Lye on the Table
Signed p Order M Macnemara Ct Lo H.
By the Lower house of Assembly 16 June 1749
Read the second time and will pass.
Signed p Order M Macnemara Ct Lo H.
Read the first time in this house and Ordered to Lye on the Table
Read the Remonstrance of the Visitors of Kent County School praying a further Provision may be made towards the support of a Master and Usher for the said School; the Petition of sundry Inhabitants and Others in Upper Marlborough in Prince Georges County praying a Supplementary Law may pass appointing new Commissioners to Execute the Powers given in the former Law for laying out the said Town; Referred to the Consideration of the Lower house and sent by Samuel Chamberlain Esq[r]
Read the Second time the Bill Entituled an Act for the further Regulation of Proceedings on Attachments; passed & sent by Edmund Jenings Esq[r]
Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem
This house met again according to Adjournment
Present as in the Morning
A Bill from the Lower house by Mess[rs] Buchanan & Sheredine Entituled An Act empowering the Justices of Baltimore County Court to assess & Levy a Sum in Current Money and for other purposes therein mentioned, thus Endorsed
By the Lower house of Assembly 15 June 1749
Read the first time and Ordered to Lye on the Table
Signed p Order M Macnemara Ct Lo. H.
By the Lower house of Assembly 16 June 1749 p. 312
Read the second time and will pass
Signed p Order M Macnemara Ct Lo. H.
Read the first time in this house and Ordered to lye on the Table.
Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 17 June 1749 June 17
This house met again according to Adjournment
Present as Yesterday
Read the Petition of Mordecai Booth of Virginia Merchant praying the Drawback may be allowed him for the Duty of forty Negroes being part of the Negroes brought in this Province in the Sloop

U. H. J. Liber No. 34 June 17 called the Eltham and which said forty Negroes were Carried Back in the said Sloop to Virginia; Referred to the Consideration of the Lower house and sent by Col Plater

Adjourned till Monday Morning ten of the Clock

June 19 Monday Morning 19 June 1749

This House met again according to Adjournment

Present

The Honourable	Benjamin Tasker Esq^{r}	Samuel Chamberlain Esq^{r}
	Col. George Plater	Daniel Dulany Esq^{r}
	Edmund Jenings Esq^{r}	Col Edward Lloyd
	Col Charles Hammond	Benedict Calvert Esq^{r}

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the morning

Read the Petition of several the Inhabitants of Calvert County praying Leave to bring in a Bill to lay out a new St. Leonards Creek Town in the said County; Referred to the Consideration of the Lower house and sent by Benedict Calvert Esq^{r}

A Bill from the Lower house by M^{r} Dulany and Heigh Entituled an Act for the Speedy and Effectual Publication of the Laws of this Province and for the encouragement of Jonas Green of the City of Annapolis Printer; thus Endorsed

By the Lower house of Assembly 14 June 1749

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo Ho.

By the Lower house of Assembly 19 June 1749

p. 313 Read the second time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and Ordered to Lye on the Table

A Bill from the Lower house by Mess^{rs} Hooper and Davis Entituled an Act to Impower the justices of Queen Anns County Court to sell the Materials of the Old Prison of that County and the Produce thereof to apply as therein directed thus Endorsed

By the Lower house of Assembly 15 June 1749

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo. H.

By the Lower house of Assembly 19 June 1749

Read the second time and will pass

Signed p Order M Macnemara Cl. Lo. H.

Read the first time in this house and Ordered to Lye on the Table. U. H. J. Liber No. 34
Adjourned till to Morrow Morning ten of the Clock June 19

Tuesday Morning 20 June 1749 June 20

This house met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled an Act for Tryall of all matters of Fact in the several Counties where they have arisen or shall Arise; and will not pass; Read the second time the Bill Entituled an Act to prevent Persons holding Offices and Places of Profit and Trust from Serving in Assembly; and will not pass; sent by Daniel Dulany Esquire

Read the second time the Bill Entituled an Act to impower the justices of Queen Anns County Court to sell the Materials of the Old Prison of that County and the Produce thereof to apply as therein directed; Read the second time the Bill Entituled an Act impowering the justices of Baltimore County Court to Assess and Levy a Sum of Current Money and for other purposes therein mentioned; Read the second time the Bill Entituled an Act for the Speedy and Effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer; passed and sent by Samuel Chamberlain Esq^{r}

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Petition of Daniel Carroll of Marlborough in Prince Georges County Merchant praying to be heard against any Supplementary Bill being passed for laying out Upper Marlborough Town a new Referred to the consideration of the Lower house and sent by Col Loyd p. 314

Three Bills from the Lower house by Mess^{rs} Paca and Lux One Entituled an Act Regulating the Interest upon Tobacco and Money and Damages on protested Bills of Exchange; One Entituled An Act to Oblige owners Overseers and Managers of Iron works to Assist in Repairing Publick Roads; And one Entituled an Act to Oblige the sheriffs of this Province to keep their Prisoners in the respective County Goals or Prisons; Severally thus Endorsed

By the Lower house of Assembly 15 June 1749

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo Ho.

U. H. J. Liber No. 34 June 20

By the Lower house of Assembly 20 June 1749
Read the second time and will pass
Signed p Order M. Macnemara Cl Lo H.
Read the first time in this house and Ordered to Lye on the Table

A Bill from the Lower house by Messrs Crabb & Owings Entituled an Act to take off the Allowance for killing Wolves in Frederick County, thus Endorsed

By the Lower house of Assembly 15 June 1749
Read the first time and Ordered to Lye on the Table
Signed p Order M Macnemara Cl Lo H.
By the Lower house of Assembly 20 June 1749
Read the second time and will pass
Signed p Order M Macnemara Cl Lo H.

p. 315

Read the first time in this house and Ordered to Lye on the Table

The Governor Communicates to this house A Petition of several of the Clergymen of this Province on behalf of themselves and the rest of the Clergy praying that there may not any law pass for the future for the Division of any Parish untill they may be heard thereto which being Read is Ordered to lye on the Table for further Consideration

A Bill from the Lower house by Messrs Stoddert & Waggerman Entituled An Act to Oblidge the bringing in all the Outstanding Bills of Credit of the first Emission thus Endorsed

By the Lower house of Assembly 19 June 1749
Read the first time and Ordered to lye on the Table
Signed p Order M Macnemara Cl Lo. H.
By the Lower house of Assembly 20 June 1749
Read the second time and will pass
Signed p Order M Macnemara Cl Lo H.
Read the first time in this house and Ordered to Lye on the Table.

A Bill from the Lower house by Messrs Harris and Lee an Act for taking of Corporal punishment inflicted on Females having base born Children and other purposes therein mentioned thus Endorsed

By the Lower house of Assembly 19 June 1749
Read the first time and Ordered to lye on the Table
Signed p Order M Macnemara Cl Lo Ho.
By the Lower house of Assembly 20 June 1749
Read the second time and will pass
Signed p Order M Macnemara Cl Lo Ho.
Read the first time in this house and Ordered to Lye on the Table

A Bill from the Lower house by Messrs Lloyd and Wilkinson Entituled an Act for the more Effectual destroying Squirrels and

Crows in the Counties of Kent Queen Anns and Talbot and for destroying Red Foxes in the said Counties; thus Endorsed U. H. J. Liber No. 34 June 20

By the Lower house of Assembly 16 June 1749

Read the first time and Ordered to lye on the Table

Signed p Order M. Macnemara Cł. Lo H.

By the Lower house of Assembly 20 June 1749

Read the second time and will pass

Signed p Order M Macnemara Cł Lo H.

Read the first time in this house and Ordered to Lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 21 June 1749 June 21

This house met again according to Adjournment

Present as yesterday

Read the second time the Bill Entituled an Act to take off the allowance for killing Wolves in Frederick County; and will pass with the following Amendments, after the word, wolves, in the first Line of the 2d Page put, was or, and in the 3d Line after the word, Wolves, put, was or, Leave out the Clause after the word, Indian, in 3d Line of the same Page to the word notwithstanding; Read the second time the Bill Entituled an Act to Oblige the Sheriffs of this Province to keep their Prisoners in the Respective County Goals or Prisons and will pass with the following Amendments instead of the Title put in these words An Act to Repair the Respective Prisons of Somerset and Charles Counties; Leave Out the first fifteen Lines in the Bill and the word, And, in the 16th Line sent by Coł Hammond

Read the second time the Bill Entituled an Act Regulating the Interest upon Tobacco and Money and Damages on Protested Bills of Exchange; and will not pass, sent by Coł Hammond p. 316

Read the Petition of Solomon [Long] of Worcester County Administrator of Woney Macclemey and Eleanor Macclemey and Others the just Creditors of the afd Woney Macclemey praying Leave to bring in a Bill directing the Sale of the Real Estate of the said Woney Macclemey in Aid of his personal assets for the payment of his just Creditors; Referred to the Consideration of the Lower house & sent by Edmund Jenings Esqr

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entituled an Act for the more Effectual Destroying Squirrells and Crows in the Counties of Kent

U. H. J. Liber No. 34 June 21

Queen Anns and Talbot and for destroying red Foxes in the said Counties; passed & sent by Col Plater

Two Bills from the Lower house by Mess[rs] Henry and Scarburgh One Entituled an Act for Dividing Part of Stepney Parish Lying in Somerset County and for Adding such part when so Divided to Somerset Parish in s[d] County; And an Act for the building a Chappel of Ease in the Upper Part of Stepney Parish in Worcester County and to impower the raising and Levying a Quantity of Tobacco for that Purpose, thus Endorsed

By the Lower house of Assembly 19 June 1749

Read the first time and Ordered to Lye on the Table.

Signed p Order M Macnemara Cl Lo Ho.

By the Lower house of Assembly 21 June 1749

Read the second time and will pass

Signed p Order M Macnemara Cl Lo. Ho.

Read the first Time in this house and Ordered to Lye on the Table

A Bill from the Lower house by Mess[rs] Sullyvan & Handy Entituled an Act directing the former Sheriffs of the several Counties within this Province to account with the Justices of the several County Courts for the Tobacco therein mentioned, thus Endorsed.

By the Lower house of Assembly 21 June 1749

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 21 June 1749

Read the second time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and Ordered to Lye on the Table

p. 317 Read the second time the Bill Entituled to Oblige in all the outstanding Bills of Credit of the first Emission and will not pass, sent by Benedict Calvert Esq[r] A Bill from the Lower house by Mess[rs] Tilghman and Goldsborough Entituled an Act for the further altering and Establishing certain Warehouses and for other purposes therein mentioned, thus Endorsed

By the Lower house of Assembly 16 June 1749

Read the first time and Ordered to lye on the Table.

Signed p Order M Macnemara Cl Lo Ho.

By the Lower house of Assembly 21 June 1749

Read the second time and will pass.

Signed p Order M Macnemara Cl Lo. H.

Read the first time in this house and Ordered to Lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Eodem Die post Meridiem [sic] U. H. J. Liber No. 34
[Thursday Morning 22 June 1749] June 22

This house met again according to Adjournment

Present as yesterday

The Bill prepared in this house Entituled an Act for the further Regulation of Proceedings on Attachments is brought from the Lower house by Mess[rs] Harris & Lee thus Endorsed

By the Lower house of Assembly 16 June 1749
Read the first time and Ordered to Lye on the Table
Signed p Order M. Macnemara Cl Lo Ho.
By the Lower house of Assembly 21 June 1749
Read the second time and will not pass.
Signed p Order M Macnemara Cl Lo Ho.

A Bill from the Lower house by Mess[rs] Owings and Traverse Entituled an Act to prevent Non Residents from hunting within this Province and the Evils arising by burning the woods; thus Endorsed

By the Lower house of Assembly 21 June 1749
Read the first time and Ordered to Lye on the Table
Signed p Order M Macnemara Cl Lo Ho.
By the Lower house of Assembly 21 June 1749
Read the second time and will pass.
Signed p Order M Macnemara Cl. Lo. H.
Read the first time in this house and Ordered to Lye on the Table.

A Bill from the Lower house by Mess[rs] Handy and Selby Entituled an Act for dividing Stepney Parish Lying in Somerset & Worcester Counties and for erecting a Parish out of the same called by the Name of Cumberland Parish, thus Endorsed.

By the Lower house of Assembly 22[d] June 1749 p. 318
Read the first and second time by especial Order and will pass
Signed p Order M. Macnemara Cl. Lo. H.
Read the first time in this house and Ordred to Lye on the Table
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entituled an Act to Oblige Owners Overseers and Managers of Iron Works to assist in Repairing the Publick Roads; and will pass with the following Amendments; Instead of the word; All, in the 4[th] Line between suffer, and, Labouring, put, One Labourer out of every ten, after the word Send, in the

U. H. J. Liber No. 34 June 22

tenth Line put, One Tenth and the Proviso to be left out, sent by Daniel Dulany Esq[r]

A Bill from the Lower house by Mess[rs] Sullyvan and Oldham Entituled a Supplementary Act to the Act Entituled an Act for the Ease of the Inhabitants in Examining Evidences Relating to the bounds of Lands and in the manner of Obtaining Injunctions thus Endorsed

By the Lower house of Assembly 22[d] June 1749

Read the first and second time by especial Order and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and Ordered to Lye on the Table

The Journal of the Committee of Accounts is brought from the Lower house by Mess[rs] Sprigg and Buchanan thus Subscribed. 22[d] June 1749

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo H.

A Bill from the Lower house by Mess[rs] Paca and Mackall Entituled An Act for the Cutting off the Entail of Part of a Tract of Land Called Hollands Choice Lying in Ann Arundel County, to Enable Jacob Holland to sell and Convey the same in fee simple and to Entail other Lands in Lieu thereof; thus Endorsed.

By the Lower house of Assembly 22[d] June 1749

Read the first and second time by especial Order and will pass

Signed p Order M Macnemara Cl Lo Ho.

Read the first time in this house and Ordered to Lye on the Table

A Bill from the Lower house by Mess[rs] Waggerman and Harris Entituled an Act for the Relief of Persons accused and acquited and of Witnesses against Persons accused, thus Endorsed

By the Lower house of Assembly 22[d] June 1749

Read the first and Second time by Especial Order and will pass

Signed p Order M Macnemara Cl Lo H.

p. 319 Read the first time in this house and Ordered to Lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 23 June 1749

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess[rs] Henry and Handy Entituled An Act impowering certain Persons to Vend and dispose of Lands in Somerset County whereof Woney M[c]Clemey died seized in fee for the Purposes therein mentioned, thus Endorsed

By the Lower house of Assembly 23 June 1749

Read the first and second time by especial Order and will pass

Signed p Order M Macnemara Cl Lo Ho.

Read the first time in this house and Ordered to Lye on the Table. U. H. J. Liber No. 34 June 23

Read the second time the Bill Entituled an Act for further Altering & Establishing certain Warehouses and for other Purposes therein mentioned, and will pass with the following amendments, after the word do, in the 2^{d} Line of the 3^{d} Page to the End of the Page to be left out, all the Eleventh Page to be Left Out and the word, aforesaid, in the second Line of the Last Page; sent by Samuel Chamberlaine Esq^{r}

Read the second time the Bill Entituled an Act directing the former Sheriffs of the several Counties within this Province to Account with the Justices of the several County Courts for the Tobacco therein mentioned; and will pass with the following amendments, Leave out from the word, Whereas, to the Word, Province, in the 5th Line and insert the following words: Whereas One Pound of Tobacco ꝑ Poll was assessed in pursuance of an Order of Council, and hath been collected by the Respective Sheriffs for the time being and still remains in their hands unapplyed; after the word People in the 11th Line put in the Words, A Deduction of One 4th Part of the whole as in Case of Debts and also six ꝑ Cent for the Collection being first made to the Sheriffs; Sent by Coł Lloyd.

Read the second time the Bill Entituled an Act for taking off Corporal Punishment Inflicted on Females having base born Children and Other purposes therein mentioned and will pass; the words, Proof of, being incerted after the word for, in the second Line of the Last Page; sent by Coł. Hammond

Read the second time the Bill Entituled an Act for the Relief of Persons accused and acquitted and of Witnesses against Persons acqused; passed and sent by Edmund Jenings Esquire

Read the second time the Bill Entituled an Act for the building a Chappel of Ease in the Upper Part of Stepney Parish in Worcester County and to unpower the Raising and Levying a Quantity of Tobacco for that Purpose;

Read the second time the Bill Entituled an Act for dividing Part of Stepney Parish Lying in Somerset County and for Adding such part when so Divided to Somerset Parish in said County; Read the second time the Bill Entituled An Act for Dividing Stepney Parish Lying in Somerset & Worcestor Counties and for erecting a Parish out of the same called by the name of Cumberland Parish; Read the second time the Bill Entituled an Act for the Ease of the Inhabitants in Examining Evidences relating to the Bounds of Lands and in the manner of Obtaining Injunctions and will not pass, sent by Coł Plater. p. 320

Read the second time the Bill Entituled an Act to cutt off the Entail of Part of a Tract of Land called Hollands Choice Lying in Ann Arundel County to Enable Jacob Holland to Sell and Convey

U. H. J. Liber No. 34 June 23

the same in fee simple and to Entail Other Lands in Lieu thereof; passed and sent by Benedict Calvert Esquire

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Petition of some of the Justices of Frederick County Praying a further Allowance May be made them for building their Court house also that the sum of five hundred Pounds may be Allowed them to build a Prison and that a free School may be Established in the said County Referred to the Consideration of the Lower house & sent by Sam[l] Chamberlaine Esq[r]

Read the Report from the Commissioners Appointed by Order of both Houses of Assembly last Session to Run Lines Between Frederick & Baltimore Counties as the Bounds of the said Counties, Referred to the Consideration of the Lower house and sent by Samuel Chamberlaine Esq[r]

Nine Engrossed Bills from the Lower house by Mess[rs] Henry & Lee, Viz. An Act for ascertaining the allowance of Petit Jurors attending the Provincial Court to Limit Costs with Respect to Witnesses and for Settling their allowance as to Itinerant Charges; An Act Repealing Part of an Act Entituled an Act to encourage the destroying of Wolves Crows and Squirrels; An Act to Enable the Justices of Baltimore County Court for the time being to Levy on the Taxable Inhabitants of the said County a Quantity of Tobacco for the uses therein mentioned; An Act impowering the Justices of Calvert County Court to assess and Levy on the Taxable Inhabitants of the said County a Sum not exceeding One thousand Pounds Current Money and to impower Certain Commissioners therein named to Appropriate the same towards building finishing and Compleating a New County Court house for the said County; An Act impowering the Justices of Baltimore County Court to Assess and
p. 321 Levy a sum of Current Money and for other Purposes therein mentioned; An Act to take off the allowance for killing Wolves in Frederick County; An Act for the Speedy and Effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green of the City of Annapolis Printer; An Act for the more effectual destroying Squirrells and Crows in the Counties of Kent, Queen Anns & Talbot and for destroying Red foxes in the said Counties; An Act to impower the Justices of Queen Anns County Court to sell the Materials of the Old Prison of that County and the Produce thereof to Apply as therein directed Severally thus Subscribed 23 June 1749

Read and assented to by the Lower house of Assembly.

Signed p Order M Macnemara Cl Lo H.

Read and assented to by this house and Ordered to be so Subscribed U. H. J. Liber No. 34 June 23

Read the second time the Bill Entituled An Act impowering Certain Persons to vend and dispose of Lands in Somerset County whereof Woney Macclemey died Seized in fee for the purposes therein mentioned; Passed and sent by Coł Lloyd

Four Engrossed Bills from the Lower house by Mess^{rs} John and Benjamin Mackall, Viz. An Act for the Relief of Persons accused & acquitted and of witnesses against Persons accused; An Act for taking off Corporall Punishment inflicted on Females having base born Children and other purposes therein mentioned; An Act for further Altering and Establishing certain Warehouses and for other Purposes therein mentioned; An Act for the Cutting off the Entail of part of a Tract of Land Called Hollands Choice Lying in Ann Arundel County, to Enable Jacob Holland to sell and Convey the same in fee simple and to Entail other Lands in Lieu thereof Severally thus Subscribed 23 June 1749

Read and Assented to by the Lower house of Assembly
Signed ꝑ Order M Macnemara Cł Lo Ho.

Read and Assented to by this house and Ordered to be so Subscribed

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 24 June 1749 June 24

This house met again according to Adjournment

Present as Yesterday

Samuel Chamberlaine Esq^{r} from the Committee appointed to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office brings in the following Report

At a Committee of both houses of Assembly appointed to Inspect p. 322 the Office and Proceedings of the Commissions for Emitting Bills of Credit Established by Act of Assembly, on Monday the 29th Day of May 1749

Present

The Honourable Samuel Chamberlaine Esq^{r} of the Upper house

Major Thomas Sheredine	M^{r} John Goldsborough	of the Lower house
Capt. Edward Tilghman	M^{r} William Murdock	
Major Abraham Barnes	Capt. Darby Lux	
Coł John Henry	M^{r} Richard Lloyd	

Who make choice of the Honourable Samuel Chamberlaine Esq^{r} Chairman, and Richard Dorsey Clerk, And Proceed to make the following Report

Your Committee have Counted over and seen destroyed by Burning to Ashes the sume of £83962: 16: 0 brought into the Office by

U. H. J. Liber No. 34 June 24

sundry Persons Between the 29th day of September 1748 and the 29th day of March 1749 to be sunk According to the Directions of the Act aforesaid being part of the Original Sum of £89990

Your Committee Observe that in a Letter from the Trustees in London to the Commissioners or Trustees in Maryland dated the 18th April 1749 Signed Wm Hunt J. Hanbury, the following Paragraph is contained

Your Act of Assembly has directed Us to send such Testimonials relating to the Purchasing and Disposal of the Bank Stock as cannot be put in Execution And therefore to Answer the same End and Purpose of Satisfying the Country in that Particular We herein send you a Notary Publick Testimonial or Certificate, That on the 12th November last there then stood in the Bank books in the Names of Us and Mr Joseph Adams £24000 of that Corporation Capital Stock which Testimonial we find Lodged in the said Office & is as follows

I Benjamin Bonnett of London Notary and Tabellion Royal and Publick by Royal Authority duly Admitted and sworn do hereby Certify and Attest unto all whom it may Concern that on the day of the date hereof I went to the Transfer Office of Stock of and in the Capital [Stock] of the Governor and Company of the Bank of England in the City of London and there speaking to a Clerk he Exhibited unto me a Leiger of Accounts of Stock of and in the Capital Stock afd marked (M) wherein at folio (808) I saw and Read the Account of William Hunt John Hanbury and Joseph Adams of London Esquires whereby they are Credited in their Joint Names for Twenty four thousand Pounds Stock of and in the Capital Stock of
p. 323 the Governor & Company of the Bank of England whereof an Act being required I have Granted this present One under my Notorial form and seal of Office to serve and Availe as Occasion shall require in London this twelfth day of November in the year of our Lord one thousand Seven hundred forty Eight

In Testimonium Veritatis

[Seal] Ben Bonnett Not. Pub. 1748

Which Testimonial whether such as this Province has a Right to from the Bank is humbly submitted to the Consideration of both houses of Assembly

Your Committe take Leave further to Observe that so much time has been Spent in Counting the Money burnt as afd that a Proper Inspection into the Office and Proceedings of the Commissioners afd cannot be made during the continuance of this Present Session which your Committee humbly Conceive is very near a Conclusion

Sam Chamberlaine

T Sheredine	John Henry	Darby Lux
Edwd Tilghman	J Goldsborough	Richd Lloyd

Read the second time the Bill Entituled An Act to prevent non Residents from hunting within this Province and the Evil arising by burning the Woods; and will pass with the following amendments; instead of the words, to be applyed [towards] the County Charge where the Offence happens in the 3^{d} and 4th Lines of the 2^{d} Page put these words, to the use of the Lord Proprietary for the support of Government, after the word half in the 7th Line of the Last Page put these words, to the Use of the Lord Proprietary for the support of Government, instead of the Use of the Publick School in the County where such offence shall be Committed, sent by Daniel Dulany Esquire. U. H. J. Liber No. 34 June 24

The following Message is sent to the Lower house With the Journall of Accounts by Coł Hammond.

By the Upper house of Assembly 24 June 1749

Gentlemen

As you have omitted in the Journal of Accounts now passed by your house the Allowances not Only of several Demands against the Publick Laid before your Committee, which we think the Country as properly Chargeable with as any inserted in the present Journal but also some Allowances which were acknowledged to be just by the Late Lower house in the Journal assented to by them in the last Session, therefore we cannot assent to the Present Journall

Signed ꝑ Order John Ross Cł Up H.

An Engrossed Bill from the Lower house by Mess^{rs} Waggerman and Scarborough Entituled an Act impowering certain Persons to vend and Dispose of Lands in Somerset County whereof Woney Macclemey died seized in fee for the Purposes therein mentioned, thus subscribed 24 June 1749

Read and assented to by the Lower house of Assembly

Signed ꝑ Order M Macnemara Cł Lo H.

Read and assented to by this house and Ordered to be so subscribed p. 324

The several Paper Bills the Originals of which have passed this house this Session are sent to the Lower house by Benedict Calvert Esquire

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning.

Ordered that the Clerk of this house Receive the same fees on all private Bills passed this Session as are allowed by the Lower house to their Clerk

U. H. J. Liber No. 34 June 24

Coł Plater and Benedict Calvert Esq^{r} are sent to the Lower house to acquaint the Speaker that his Excellency Requires his immediate attendance with the Lower house in the Upper house to see the Laws passed both houses this Session receive the assent

The Lower house attend and by their Speaker present to his Excellency the following [Ingrossed] Bills viz.

An Act to continue such Actions now Depending in the Provincial Court as by Law ought to have been Determined in May Provincial Court One thousand seven hundred forty and nine

An Act for ascertaining the Allowance of Petit Jurors attending the Provincial Court to Limit Costs with Respect to Witnesses and for Settling their Allowance as to Itinerant Charges.

An Act Repealing Part of an Act Entituled an Act to encourage the destroying of Wolves Crows and Squirrels

An Act to enable the Justices of Baltimore County for the time being to Levy on the taxable Inhabitants of the said County a Quantity of Tobacco for the uses therein mentioned

An Act impowering the Justices of Calvert County Court to assess and Levy on the Taxable Inhabitants of the said County a sum not exceeding one Thousand Pounds Current Money and to impower Certain Commissioners therein named to appropriate the same towards building finishing and Compleating a New County Court house for the s^{d} County.

An Act impowering the Justices of Baltimore County Court to assess and Levy a sum of Current Money and for other purposes therein mentioned

An Act to take off the Allowance for killing Wolves in Frederick County

An Act for the Speedy and Effectual Publication of the Laws of this Province and for the encouragement of Jonas Green of the City of Annapolis Printer

An Act for the more effectual destroying of Squirrels & Crows in the Counties of Kent Queen Anns and Talbot and for destroying Red Foxes in the said Counties

An Act for the Relief of Persons accused and acquitted and of Witnesses against Persons accused

p. 325 An Act to impower the Justices of Queen Anns County Court to sell the Materials of the Old Prison of that County and the Produce thereof to apply as therein directed

An Act for taking off Corporal Punishment inflicted on Females having base born Children and other purposes therein mentioned

An Act for further Altering and Establishing certain Warehouses and for other purposes therein mentioned

An Act for cutting off the Entail of Part of a Tract of Land called Hollands Choice Lying in Ann Arundel County to enable

Jacob Holland to sell & Convey the same in fee simple and to entail other Lands in Lieu thereof. U. H. J. Liber No. 34 June 24

An Act impowering certain Persons to vend and dispose of Lands in Somerset County whereof Woney Macclemey died Seized in fee for the Purposes therein mentioned.

All which his Excellency passed into Laws in the Usual Form by sealing them with the Right honourable the Lord Proprietary his Great Seal at Arms and Subscribing them on behalf of the Right honourable the Lord Proprietary of this Province I WILL THIS BE A LAW, the Bill Entituled an Act enlarging the time for Receiving and paying the Publick and County Levies Parochial Charges Clergys Allowances Attorneys and Officers fees for this present year being passed into a Law before

After which his Excellency was pleaséd to conclude this Session with the following Speech

Gentlemen of the Upper and Lower houses of Assembly

The Business of this Session being at an End I have thought fit with the Advice of his Lordships Council of State to Prorogue this Assembly to the second Tuesday in October next and you are to take Notice you are Prorogued to that day accordingly

Thus Ends this Session of Assembly begun and held at the City of Annapolis on Wednesday the 24th Day of May and ending on Saturday the 24th Day of June in the 35th year of his Lordships Dominion and in the 23d Year of his Majestys Reign Annoq Domini 1749

J Ross Ct.

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

L. H. J.
Liber No. 46
1749, May 24
p. 821

At a Session of Assembly held at the City of Annapolis, on Wednesday the 24th Day of May, in the Year 1749, by Prorogation from the 11th Instant, appeared in the Lower House of Assembly, (His Excellency Samuel Ogle, Esq; being Governor;)

The Honourable Philip Hammond, Esq; Speaker,

For St. Mary's County,
Mr. Philip Key,
Mr. James Mills,
Major Abraham Barnes.

For Kent County,
Mr. Nicholas Smith,
Mr. Richard Lloyd,
Mr. Matthias Harris,
Mr. Simon Wilmer.

For Anne Arundel County,
Dr. Charles Carroll,
Mr. Thomas Worthington,
Mr. Stephen Bordley.

For Calvert County,
Mr. James John Mackall,
Mr. James Heighe,
Mr. Benson Bond.

For Charles County,
Mr. Bayne Smallwood,
Mr. John Stoddert,
Capt. Arthur Lee,
Mr. Jonathan Wilson.

For Somerset County,
Col. Robert King,
Col. Robert Jenckins Henry,
Capt. Isaac Handy,
Capt. Henry Waggaman.

For Talbot County,
Mr. Nicholas Goldsborough,
Mr. John Goldsborough,
Mr. Robert Lloyd,
Mr. Edward Oldham.

For Dorchester County,
Col. Henry Hooper.

For Cæcil County,
Mr. Benjamin Pearce,
Capt. Peter Bayard,
Col. John Baldwin,
Mr. Richard Thompson.

For Baltimore County,
Major Thomas Sheredine,
Dr. George Buchanan,
Capt. John Paca,
Capt. Darby Lux.

For Prince George's County,
Mr. Turnor Wootton,
Capt. John Addison,
Col. Edward Sprigg,
Mr. William Murdock.

For the City of Annapolis,
Capt. Robert Gordon,
Mr. Walter Dulany.

For Queen Anne's County,
Capt. Edward Tilghman,
Capt. William Hopper,
Mr. Thomas Wilkinson,
Mr. John Davis.

For Worcester County,
Capt. Thomas Robins,
Mr. John Selby,
Col. John Scarborough,
Col. John Henry.

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For Frederick County,
Capt. Henry Wright Crabb,
Mr. Joseph Chaplain,
Daniel Dulany, Junior, Esq;
Capt. Thomas Owen,

A sufficient Number of the Members of the Lower House of Assembly being met at the Stadt-House, Ordered, That Col. King and Dr. Carroll do acquaint his Excellency the Governor therewith: They return, and acquaint Mr. Speaker they delivered the Message.

Richard Lee and Benedict Calvert, Esquires, from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House in the Upper House.

Mr. Speaker left the Chair, and, attended with the Members of the Lower House, went to the Upper House, where his Excellency made the following Speech: (See page 187)

The Governor delivered to Mr. Speaker the following Extracts; viz. (See pages 188-203)

Mr. Speaker (with the Members of the Lower House) returned, p. 834 and resumed the Chair.

Mr. Daniel Sulivane, a Member returned to serve in this Assembly for Dorchester County, appeared in the House. Ordered, That Col. Hooper and Mr. John Goldsborough do go with Mr. Sulivane to the Upper House to see him there qualified: They return and acquaint Mr. Speaker, they saw him qualified in the usual manner.

The Gentleman took his Seat in the House.

The Governor's Speech, and the Extracts therein mentioned, were read in the House by the Clerk, and Ordered That they do lie on the Table.

The House adjourns until Tomorrow Morning, 9 of the Clock.

Thursday Morning, May 25, 1749. May 25

The House met according to Adjournment, the Members were called over, and all were present as yesterday: The Proceedings of yesterday were read.

Capt. Travers appeared in the House.

The House continued the several Gentlemen on the Committees, that were appointed at the last Meeting in Assembly.

The House having taken the Governor's Speech into Consideration; Ordered, That the Committee of Laws do prepare an Address to his Excellency thereon.

L. H. J. Liber No. 46 May 25 p. 835

A Petition of John Smith Prather to this House, on Behalf of himself and the Freeholders of Frederick County, complaining of an undue Election and Return for the said County, was read, and ordered to lie on the Table.

Col. Hooper, from the Committee of Laws, acquaints Mr. Speaker, That that Committee had made choice of Mr. Vachel Denton for Clerk, and desires the Approbation of the House. The House approved the Choice, and ordered that Mr. Denton be qualified in the usual manner.

Col. Sprigg, from the Committee of Accounts, acquaints Mr. Speaker, That that Committee had made choice of Mr. Richard Dorsey for Clerk. The House approved the Choice, and ordered that he be qualified in the usual manner.

Mr. Goldsborough, from the Committee of Aggrievances and Courts of Justice, acquaints Mr. Speaker, That that Committee had made choice of Mr. William Wilkins for Clerk. The House approves the Choice, and ordered that he be qualified in the usual manner.

Col. Sprigg, from the Committee of Elections and Privileges, acquaints Mr. Speaker, That that Committee had made choice of Mr. Thomas Harwood for Clerk. The House approved the Choice, and ordered that he be qualified in the usual manner.

Capt. Addison, from the Committee appointed to enquire into the State and Condition of the Arms and Ammunition, and Accounts thereto relating, acquaints Mr. Speaker, That that Committee had made choice of Mr. Robert Tyler for Clerk. The House approved the Choice, and ordered that he be qualified in the usual manner.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed.

The House approved the following Rules; and Ordered, That they be observed:

I. That no Member of this House shall use any reviling Speeches, or name any Member by his proper Name, otherwise than for Distinction sake; but shall rather use some other Signification, as, The Gentleman that spoke last, or the like.

II. That no Member speak above once at the reading of any Bill or Debate, without License of the Speaker and the House; and if two Persons, or more, shall rise up together, the Speaker shall appoint who shall speak first, and no Member shall interrupt any other, until the Gentleman speaking hath ended.

III. That no member shall deliver his Opinion, or speak to any Bill or Debate, unless he shall stand up, and reverently direct his Speech to the Speaker.

IV. That every Bill proposed to the House shall be read two several Days, before it is sent to the Upper House, and once after, before it be Ingrossed; and that between every Reading one Day shall be intermitted; and, That in that Time the Bill be laid on the Table, for the Perusal of all the Members; unless, on very urgent Occasions, Mr. Speaker, with the Consent of the House, shall dispense therewith: And then one Bill being read twice at one sitting, shall be as sufficient as if read several Days, when so entered in the Clerk's Journal. L. H. J. Liber No. 46 May 25

V. That no Person shall come into the House of Assembly, whilst the same is sitting, with Sword or other Weapon, upon Penalty of such Fine as shall be imposed on them by the Speaker, not exceeding Five Shillings for any Offence.

VI. That if any Member bound to attend this Assembly, shall be absent at the Hours and Place appointed, after the Number of twelve of the Members with the Speaker are met, according to the Order for sitting, shall be fined according to the Discretion of the Speaker, not exceeding Five Shillings for any Offence; unless upon such lawful Excuse as the Speaker shall admit of. p. 836

VII. All Misdemeanors which shall happen in the House, shall be censured and fined in the House.

VIII. That no Bill shall be read at any Time during this Session, 'til all the Members in Town be called in; except on some Excuse to be admitted by the Speaker.

The following Resolves ordered to be Entered, as the Resolves of this House:

Resolved by the House, That the Members who are appointed as Members of the Committee of Aggrievances, have likewise the Character of Committee for Courts of Justice; and that that Character, and the Duty of such Committee, be annex'd to the said Committee of Aggrievances, as a standing Part of their Duty.

And that it be an Instruction to the said Committee, as a Committee of Courts of Justice, that they observe the Nature of all the Commissions to the several Courts of Judicature within this Province, and that they especially observe any Alterations that may at any Time happen, by accidental Omission, or otherwise, therein; and particularly relating to such Words therein, as require the several Judges and Justices to hear, try, and determine, according to the Laws, Statutes, Ordinances, and reasonable Customs of England, and of this Province, or to such other Words as have Relation thereto; and that they shall immediately make Report to the House of any Alteration that shall at any Time happen in such Commission, and likewise to have Regard as near as may be, to observe wherein they differ from the Forms of the several sorts of Commissions to the Judges and Justices in England.

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Likewise Resolved, That it be an Instruction to the said Committee, to inspect the Form of the Oaths of Office, that have been, and now are usually taken by the several Magistrates; and that in case the following Clause be not inserted in the said Oath, it be reported to the House, such Clause being agreeable to the Oath taken by the Judges in England, and resolved to be necessary here; viz.

"To do equal Law and Right to all the King's Subjects, rich and poor, and not to delay any Person of common Right, for the Letters of the King, the Lord Proprietary, or of any other, or for any other Cause; but if any such Letters come to them, they shall proceed to do the Law, the same Letters notwithstanding."

And that a Copy of these Resolves be made and given to the said Committee, when they first go out every Sessions, and that making and giving such Copies be the undoubted Duty of the Clerk of this House, and within the Purview of his Oath.

Resolved, also, That this Province is not under the Circumstances of a conquered Country; that if it were, the present Christian Inhabitants thereof would be in the Circumstances, not of the Conquered, but of the Conqueror; it being a Colony of the English Nation, encouraged by the Crown to transplant themselves hither, for the sake of improving and enlarging it's Dominions; which by the Blessing of God upon their Endeavours, at their own Expence and Labour, has been in great Measure obtained: And 'tis unanimously Resolved, that whoever shall advance, that his Majesty's Subjects, by such their Endeavours and Success, have forfeited any Part of their English Liberties, are not Well-wishers to the Country, and mistake it's happy Constitution.

Resolved, also, That if there be any Pretence of Conquest, it can be only supposed against the Native Indian Infidels; which Supposition cannot be admitted, because the Christian Inhabitants purchased great Part of the Land they at first took up from the Indians, as well as from the Lord Proprietary, and have ever since continued in an amicable Course of Trade with them; except some partial Outrages and Skirmishes, which never amounted to a general War, much less to a general Conquest; the Indians yet enjoying their Rights and Privileges of Treaty and Trade with the English, of whom we yet frequently purchase their Rights of such Lands as we take up, as well as of the Lord Proprietary.

p. 837 Resolved, further, That this Province hath always hitherto had the Common Law, and such general Statutes of England, as are securitative of the Rights and Liberties of the Subject; and such Acts of Assembly as were made in the Province, to suit it's particular Constitution, as the Rule and Standard of it's Government and Judicature; such Statutes and Acts of Assembly being subject to the like Rules of Common Law, or equitable Construction, as are used by the Judges in construing Statutes in England: Which happy

Rules have, by his Majesty and his royal Ancestors, and also by his Lordship and his noble Ancestors, or some of them, been hitherto approved, by having the Commissions of Judicature, to include Directions of that Nature to the several Judicial Magistrates; unless those Words have at any Time been casually or carelessly omitted by the Officers in this Province, that drew such Commissions. L. H. J. Liber No. 46 May 25

Ordered, That Mr. Worthington do acquaint the Reverend Mr. Andrew Lendrum, that he is desired by this House to read Divine Service Morning and Evening, during this Session.

Mr. Robert Lloyd, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

We his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of the Province of Maryland, in Assembly convened, return your Excellency our sincere Thanks for that just Regard you are pleased to express in your Speech at the Opening of this Session, for the Rights and Privileges of the People of Maryland. And we beg your Excellency to rest assured, that we shall give the subject Matter of your Excellency's Speech so full and serious a Consideration, and come to such impartial Determination thereon, as we hope will satisfy every reasonable Man, that we have the same just Sense of, and Regard for, the real Rights of the Government, that your Excellency has for the Rights and Privileges of the People; both which were established for no other End but their Happiness.

Which was read, assented to, and signed on Behalf of the House by the Honourable Speaker.

Ordered, That Col. Hooper and Col. Robert Henry do acquaint the Governor, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify that he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Col. Sprigg, with fourteen more, do present the Address.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. Benjamin Mackall appeared in the House.

Col. Hooper acquaints Mr. Speaker, that Mr. Denton, Mr. Richard Dorsey, Mr. Wilkins, Mr. Tyler, and Mr. Harwood, were quali-

L. H. J. Liber No. 46 May 25

fied as Clerks to the several Committees that had chosen them, in the usual manner.

The House having taken into Consideration his Excellency the Governor's Speech, and on mature Deliberation of the subject Matter relating to the Clerk of the Lower House of Assembly, therein mentioned, the two following Questions were proposed; viz.

p. 838

Whether two Members be sent (with Mr. Macnemara) to acquaint the Governor with the House's having chosen him for their Clerk, and to desire his Approbation, and to see him qualified? Or,

Whether the House will depart from the Choice made of their Clerk, and his Qualification according to Law, at the late Convention?

Thereupon the Question was put, Which should be the Question now put? Resolved, That the first of the said Questions be put.

For the Affirmative.

Mr Key,	Mr Oldham,	Mr Sprigg,
Mills,	Sulivane,	Murdock,
Barnes,	Hooper,	Gordon,
Wilmer,	Travers,	W. Dulany,
Bordley,	Bayard,	Tilghman,
King,	Baldwin,	Robins,
R. Henry,	Thompson,	Scarborough,
Handy,	Sheredine,	Selby,
Waggaman,	Paca,	J. Henry,
J. Goldsborough,	Lux,	D. Dulany.
Robert Lloyd,	Wootton,	

For the Negative.

Mr Harris,	Mr B. Bond,	Mr Addison,
Smith,	Smallwood,	Hopper,
Richard Lloyd,	Stoddert,	Wilkinson,
Carroll,	Lee,	Davis,
Worthington,	Wilson,	Crabb,
J. J. Mackall,	N. Goldsborough,	Chaplain,
Heighe,	Pearce,	Owen.
B. Mackall,	Buchanan,	

The Question was then put, Whether two Members be sent with Mr. Macnemara, to acquaint the Governor with the House's having chosen him for their Clerk, and to desire his Approbation, and to see him qualified; or Not? Resolved in the Affirmative.

L. H. J. Liber No. 46 May 25

For the Affirmative.

Mr Key,	Mr Oldham,	Mr Wootton,
Mills,	Sulivane,	Sprigg,
Barnes,	Hooper,	Gordon,
Wilmer,	Travers,	W. Dulany,
King,	Bayard,	Tilghman,
R. Henry,	Baldwin,	Robins,
Handy,	Thompson,	Selby,
Waggaman,	Sheredine,	Scarborough,
J. Goldsborough,	Paca,	J. Henry,
Robert Lloyd,	Lux,	D. Dulany

For the Negative.

Mr Harris,	Mr B. Bond,	Mr Murdock,
Smith,	Smallwood,	Hopper,
Richard Lloyd,	Stoddert,	Wilkinson,
Carroll,	Wilson,	Davis,
Worthington,	Lee,	Crabb,
Bordley,	N. Goldsborough,	Chaplain,
J. J. Mackall,	Pearce,	Owen.
Heighe,	Buchanan,	
B. Mackall,	Addison,	

The Governor communicated to Mr. Speaker the following Answer to the Address of this House; viz.

Gentlemen of the Lower House of Assembly,

I Return you Thanks for your kind Address; and you may be assured I shall always retain the sincerest Regards for the Rights and Privileges of the People of Maryland, and be ever ready to promote their true Interest in every Respect.

Sam. Ogle.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Friday Morning, May 26, 1749. May 26

The House met according to Adjournment. The Members were called over, and all appeared as yesterday. The Proceedings of yesterday were read.

On motion that an Address be prepared to the Governor, on the subject Matter contained in his Speech, relating to the Clerk of this House: Ordered, That the Committee of Laws do prepare and bring in an Address accordingly.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed. p. 839

L. H. J. Liber No. 46 May 26

The Petition of John Smith Prather, on Behalf of himself and others, Freeholders in Frederick County, was read: Ordered, That the same be taken into Consideration in the Afternoon.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

Agreeable to our Address of yesterday to your Excellency, we have taken the subject Matter of your Speech at the Opening of this Session, relating to the Clerk of this House, into our most serious Consideration. And we assure your Excellency, with the greatest Sincerity, that the Manner of sending him up at the last Meeting, did not proceed from an Intention of infringing the Rights of the Government, or to shew the least Disregard to your Administration, but from an Opinion that we were supported therein by the Journals of our own House. In order therefore to evince the sincere Desire we have to preserve a good Understanding with your Excellency, and mutually to concur in promoting the real Ease and Happiness of the People of Maryland, we have come to the Resolution of sending up our Clerk, for your Excellency's Approbation; in full Hopes, from your good Disposition towards them expressed in your Excellency's Speech, that no determination made by us, out of our great Desire of keeping up a good Harmony, will be construed to affect the Rights of those we represent.

Which was read and assented to, and signed on Behalf of the House by the Honourable Speaker.

Ordered, That Col. Hooper and Mr. Murdock do acquaint the Governor, That this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker they deliver'd the Message, and that his Excellency was pleased to signify, that he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Col. Hooper, with three more, do present the Address to the Governor.

Mr. Harris hath Leave to go home.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

The Governor communicated to Mr. Speaker the following Answer; viz.

Gentlemen of the Lower House of Assembly,

It is a great Satisfaction to me, to find that you have come to a Resolution of presenting your Clerk for Approbation, in the usual

Manner; and I am persuaded this Method, so agreeable to, and confirmed by repeated Usage, will never be thought to affect any real Privilege of your House, or the Rights of those you represent. L. H. J. Liber No. 46 May 26

Sam. Ogle.

The Petition of John Darnall, on Behalf of himself and others, Freeholders in Frederick County, complaining of an undue Election and Return for the said County, preferred to this House, was read; and on Consideration thereof, Ordered, That the Clerk of this House do issue Summons for Mr. Reverdee Ghiselin, Deputy Clerk of the said County, to attend at the Bar of this House on Thursday next, as a Witness to prove the Facts therein contained; and to bring with him a Copy, from the Records of the Proceedings at March Court last, held for that County; as also of the Proceedings at the late Election for that County; and a Copy of the Proceedings at the Court held for Proclamation of the Writ of Election, and a Copy of the Commission to the Justices of the said County, by which they qualified as Magistrates; all under Seal of the County aforesaid. p. 840

It being moved that the Clerk of this House be sent to his Excellency the Governor, with two Members, for Approbation, and to be qualified in the Upper House; Ordered, That Col. Hooper and Col. Scarborough go (with Mr. Macnemara) to acquaint the Governor, that the Lower House of Assembly had chose him for Clerk, and to desire his Excellency's Approbation, and to see him qualified.

They return, and acquaint Mr. Speaker that they delivered the Message to the Governor; who signified that he approved the Choice, and that they saw the Clerk qualified, by taking the usual Oaths to the Government, and the following Oath of Office; viz.

You Michael Macnemara do swear, that as Clerk of the Lower House of Assembly, you shall true Entries make of all such Matters and Things, as by the Honourable Speaker for the Time being, and that House, shall be to you directed; the Secrets of the said House you shall not divulge, to the Prejudice of the House, or any Member thereof; but shall in all Things, as Clerk to the said House, well and truly demean yourself, according to the best of your Knowlege. So help you God.

The Petition of sundry the Inhabitants of St. Mary's County, in Behalf of themselves and others, Freeholders, Freemen, and Voters, in the said County, preferred to this House, complaining of an undue Election and Return for the said County, was read. Ordered, That the same be heard at the Bar of this House on Thursday the 8th Day of June next; and that the Petitioners, and all Parties concerned, do apply to the Clerk for Summons's for Witnesses.

The Representation and Petition of sundry the Freeholders, and others, residing on the North Side of Elk River in Cæcil County,

L. H. J. Liber No. 46 May 26 preferred to this House, complaining of an undue Election and Return for the said County, was read. Ordered, That the said Petition be heard at the Bar of this House on Monday Seven Night next, and that the Petitioners, and all Parties concerned, do apply to the Clerk for Summons's for Witnesses.

The House adjourns until Tomorrow Morning at 9 of the Clock.

May 27

Saturday Morning, May 27, 1749.

The House met according to Adjournment: The Members were called over, and all appeared as yesterday, except Mr. Harris. The Proceedings were read.

On reading the Petition of John Smith Prather, the Question was put, Whether any Voter or Voters shall be objected to, on Complaint of undue Election or Return, that were not objected to at the Poll or Scrutiny at the Time of Election; or Not? Resolved in the Negative.

For the Negative.

Mr Barnes,	Mr Wilson,	Mr Paca,
Smith,	R. J. Henry,	Lux,
Richard Lloyd,	N. Goldsborough,	Wootton,
Wilmer,	J. Goldsborough,	Addison,
Carroll,	Robert Lloyd,	Sprigg,
Worthington,	Oldham,	Murdock,
Bordley,	Sulivane,	Tilghman,
J. J. Mackall,	Hooper,	Hopper,
Heighe,	Travers,	Wilkinson,
B. Mackall,	Pearce,	Davis,
B. Bond,	Bayard,	Selby,
Smallwood,	Baldwin,	Crabb,
Stoddert,	Thompson,	Chaplain,
Lee,	Sheredine,	Owen.

For the Affirmative.

Mr Key,	Mr Waggaman,	Mr Robins,
Mills,	Buchanan,	Scarborough,
King,	Gordon,	J. Henry.
Handy,	W. Dulany,	

p. 841 Upon a further Reading the Petition of John Smith Prather, complaining of an undue Election and Return for Frederick County; Resolved, That the Merits of the said Election be heard at the Bar of this House, and that this House will proceed thereon on Wednesday the 7th Day of June next. Ordered, That the sitting Member and the Petitioner exchange Lists of the controverted Votes, and lodge them with the Clerk of this House, on or before Wednesday the 31st Day of May Instant; and that those Lists be confined to

such Voters as were objected to on the Scrutiny at the Time of Election, and state the Objection against each Vote that they design to insist upon. L. H. J. Liber No. 46 May 27

Resolved, That in all future Controversies before this House, concerning Elections or Returns of Members of this House, Lists of the controverted Votes shall be mutually exchanged between the sitting Member and the Person or Persons who shall complain, with the particular Objection which they intend to insist upon, set against the Name of each Person whose Vote they intend to dispute; and that such Lists shall be respectively confined to such Voters, as were objected to at the Time of their giving their respective Votes.

On motion of a Member, Resolved, That a Committee be appointed to consider of Ways and Means to raise a Fund, to be applied for the greater Encouragement of Learning within this Province.

Dr. Carroll, Col. Sprigg, Col. Robert Jenckins Henry, Mr. Daniel Dulany, Mr. Bordley, Col. King, Mr. Robert Lloyd, Mr. Tilghman, and Mr. Murdock, are appointed a Committee to consider of Ways and Means to raise a Fund, to be applied for the greater Encouragement of Learning within this Province: And Ordered, That they do make a Report thereof to the House.

Mr. John Goldsborough, Mr. Murdock, Capt. Lux, and Mr. Richard Lloyd, are added to the Committee to inspect the Accounts and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly.

On motion, Leave is given to bring in a Bill to levy 40000 lb. of Tobacco, to be collected in two Years, and applied to the repairing Baltimore County Court-House; Ordered, That the Committee of Laws do prepare and bring in the same.

On motion, Leave given to bring in a Bill to enlarge the Time of Payment of Tobacco, mentioned in the Act entituled, An Act for improving the Staple of Tobacco, &c. Ordered, That the Committee of Laws do prepare and bring in the same.

On motion, Leave given to bring in a Bill to continue some Causes in the Provincial Court: Ordered, That the Committee of Laws do prepare and bring in the same.

On motion, Leave given to bring in a Bill to prevent the Mischiefs and Inconveniencies arising from Pedlars travelling through this Province: Ordered, That the Committee of Laws do prepare and bring in the same.

A Petition of William Smallwood, of Charles County, complaining of the Sheriff of Charles County aforesaid, for imprisoning him at his own House, and not in the public Goal of the County, was read, and ordered to lie on the Table.

The House adjourns until Monday Morning at 9 of the Clock.

L. H. J. Liber No. 46 May 29

Monday Morning, May 29, 1749.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday. The Proceedings of Saturday were read.

The following Message; viz. (See page 205)

Was sent to the Upper House by Major Barnes and Mr. John Goldsborough.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the following Message: (See page 206)

p. 842 The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment, &c.

Mr. Harris and Mr. Lecompte appeared in the House.

On motion for Leave to bring in a Bill for the Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise; Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion for Leave to bring in a Bill to impower the several County Clerks within this Province to issue Writs of Replevin; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to continue such Actions now depending in the Provincial Court, as by Law ought to have been determined in May Provincial Court, One thousand seven hundred and forty-nine;

And a Bill entituled, An Act to enable the Justices of Baltimore County Court, for the Time being, to assess and levy on the taxable Inhabitants of the said County a Quantity of Tobacco, for the Uses therein mentioned:

Which Bills were severally read the first Time, and ordered to lie on the Table.

On motion for Leave to bring in a Bill, to impower the Justices of Calvert County to assess and levy on the taxable Inhabitants of the said County a Sum not exceeding 1000 l. current Money, to be appropriated towards building and compleating a new Court-House for the said County; Leave is given. Ordered, That the Committee of Laws do prepare and bring in the same.

Mr. Robert Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act enlarging the Time for receiving and paying the Public and County Levies, Parochial Charges, Clergy's Allowances, Attorneys and Officers Fees, for this present Year; which was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Tuesday Morning, May 30, 1749.

L. H. J. Liber No. 46 May 30

The House met according to Adjournment: The Members were called, and all appeared as yesterday except Mr. Key. The Proceedings of yesterday were read.

The Bill entituled, An Act enlarging the Time for receiving and paying the Public and County Levies, &c. was read the second Time by an especial Order, and will pass; and was sent to the Upper House by Col. Hooper and Mr. James John Mackall.

The Bill entituled, An Act to continue such Actions now depending in the Provincial Court, &c. was read the second Time by an especial Order, and will pass; and was sent to the Upper House by Col. John Henry and Mr. Sulivane.

On reading the Petition of Complaint of William Smallwood, Prisoner in the Custody of Samuel Hanson, Sheriff of Charles County; Ordered, That the said Samuel Hanson be summoned to attend at the Bar of this House on Tuesday the 6th Day of June next, to answer the Complaint of William Smallwood; and that the Clerk of this House do issue Summons accordingly.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

On motion that a Bill be brought in to ascertain the Allowance of Petit Jurors attending the Provincial Court, and to limit Costs with respect to Evidences; Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, the Question was put, Whether this Question shall be now put; viz. Whether Leave be given to bring in a Bill, to continue the Act for raising three Pence Sterling per Hogshead on all Tobacco exported, for purchasing Arms and Ammunition, and for an immediate Supply of Arms for the Defence of the Province; or Not? Resolved in the Negative.

For the Negative,

Mr Mills,	Mr Oldham,	Mr W. Dulany,
Barnes,	Sulivane,	Tilghman,
Richard Lloyd,	Hooper,	Robins,
Harris,	Travers,	Selby,
Wilmer,	Bayard,	Scarborough,
Carroll,	Baldwin,	J. Henry,
King,	Lux,	Crabb,
R. J. Henry,	Sprigg,	D. Dulany.
Handy,	Murdock,	
Waggaman,	Gordon,	

L. H. J. Liber No. 46 May 30

For the Affirmative,

Mr Smith,	Mr Lee,	Mr Wootton,
Lecompte,	Wilson,	Addison,
Worthington,	N. Goldsborough,	Hopper,
Bordley,	J. Goldsborough,	Wilkinson,
J. J. Mackall,	Robert Lloyd,	Davis,
Heighe,	Paca,	Chaplain,
B. Bond,	Thompson,	Owen.
Smallwood,	Buchanan,	
Stoddert,	Pearce,	

p. 843 Col. R. J. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for issuing Writs of Replevin out of the County Courts of this Province.

The House adjourns until Tomorrow Morning at 9 of the Clock.

May 31

Wednesday Morning, May 31, 1749.

The House met according to Adjournment. The Members were called, and all present as yesterday. The Proceedings were read.

Mr. Key appeared in the House.

Mr. Benjamin Mackall and Capt. Crabb are added to the Committee to inspect the State and Condition of the Arms and Ammunition, and Accounts relating thereto.

The Bill entituled, An Act to enable the Justices of Baltimore County Court, for the Time being, to assess and levy on the taxable Inhabitants of the said County a Quantity of Tobacco, for the Use therein mentioned, was read the second Time and will pass, and was sent to the Upper House by Dr. Buchanan and Capt. Paca.

On motion that a Bill be brought in for Processioning of Lands within this Province; Ordered, That a Bill be brought in accordingly.

On motion for Leave to bring in a Bill to abolish holding County Courts in June, in this Province; Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act enlarging the Time for receiving and paying the Public and County Levies, &c. Indorsed, "By the Upper House of Assembly, Read the second Time and will pass, the Words not to sell or dispose of any Goods or Chattels so distrained, until the Expiration of five Days after such Distress shall be made, being inserted between the Words next and any, in the 4th Line of the 2d Page.

"Signed per Order, J. Ross, Cl. Up. Ho."

And the Bill entituled, An Act to continue such Actions now depending in the Provincial Court, &c. Indorsed, " By the Upper House of Assembly, Read the second Time and will pass, the Words End of the next Provincial Court to be held on the being inserted between the and third in the 8th Line. L. H. J. Liber No. 46 May 31

" Signed per Order, J. Ross, Cl. Up. Ho."

Which Bills were severally read here, and, with the Amendments proposed, passed for Ingrossing.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Col. Edward Lloyd, from the Upper House, delivers to Mr. Speaker a Petition of many of the Inhabitants of Calvert County; a Petition of the Vestrymen and Churchwardens of All Saints Parish, in Calvert County; a Petition of sundry Persons in St. Mary's County, near Patuxent River; a Petition of several of the Inhabitants of Charles County; a Petition of several Persons on Clement's Bay, in St. Mary's County; and a Petition of sundry the Inhabitants of St. Luke's Parish in Queen Anne's County; severally Indorsed, " Referred by the Upper House to the Consideration of the Lower House."

Which Petitions were here read and ordered to lie on the Table.

Col. R. J. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise; which was read the first Time, and ordered to lie on the Table.

On motion for Leave to bring in a Bill to repeal Part of an Act entituled, An Act to destroy Wolves, Crows, and Squirrels, insomuch as relates to Squirrels; Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion for Leave to bring in an Explanatory Bill to the Act for the Ease of the Inhabitants in examining Evidences relating to the Bounds of Land, and in the Manner of obtaining Injunctions; Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Philip Thomas, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry Inhabitants of Kent County, praying Leave to bring in a Bill to destroy Squirrels, Crows, red Foxes, and Eagles, in Kent County, Indorsed, " By the Upper House of Assembly, referred to the Consideration of the Lower House."

Which Petition was here read, and Leave given to bring in a Bill according to Prayer. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until Tomorrow Morning at 9 of the Clock.

L. H. J. Liber No. 46 June 1

Thursday Morning, June 1, 1749.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

A Petition of Henry Moore, of Charles County, Gentleman, on Behalf of himself and several of the Freeholders of the said County, complaining of an undue Election and Return made by the Sheriff of the said County, in Favour of Mr. Jonathan Wilson, the sitting Member, was read.

p. 844 Ordered, That the said Petitioner be heard at the Bar of this House by his Council, on Wednesday the 7th Day of June Instant, on the subject Matter contained in the said Petition.

Mr. Bordley, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to abolish June County Courts throughout this Province; which was read the first Time, and ordered to lie on the Table.

The Petition of John Darnall being referred for an Hearing this Day, the House resolved itself into a Committee of the whole House thereon.

Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

Col. King, from a Committee of the whole House, delivers to Mr. Speaker the following Report; viz.

By a Committee of the whole House, June 1, 1749.

That at a Committee of the whole House, the said Committee had taken into Consideration the Petition of John Darnall, of Frederick County, complaining of an undue Election and Return for the said County; and that it appeared to the said Committee, that the Matters complained of in the said Petition are without Foundation.

Thereupon the Question was put, Whether the House concurs with the said Report; or not? Resolved in the Affirmative.

For the Affirmative,

Mr Mills,	Mr Stoddert,	Mr Sheredine,
Barnes,	Lee,	Buchanan,
Smith,	Wilson,	Paca,
Richard Lloyd,	King,	Lux,
Harris,	N. Goldsborough,	Wootton,
Wilmer,	J. Goldsborough,	Addison,
Carroll,	Sulivane,	Sprigg,
Worthington,	Hooper,	Murdock,
Bordley,	Lecompte,	Hopper,

Mr J. J. Mackall,	Mr Travers,	Mr Wilkinson,	L. H. J. Liber No. 46 June 1
Heighe,	Pearce,	Davis,	
B. Mackall,	Bayard,	Selby.	
B. Bond,	Baldwin,		
Smallwood,	Thompson,		

For the Negative,

Mr Key,	Mr Robert Lloyd,	Mr Tilghman,
R. J. Henry,	Oldham,	Robins,
Handy,	Gordon,	Scarborough,
Waggaman,	W. Dulany,	J. Henry.

The House having concurred with the Report from the Committee of the whole House; Ordered, That the Petition of John Darnall be rejected.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment, &c.

The Bill entituled, An Act for issuing Writs of Replevin, &c. was read the second Time and will pass, and was sent to the Upper House by Mr. Wootton and Capt. Hopper.

An Ingrossed Bill entituled, An Act for enlarging the Time for receiving and paying the Public and County Levies, &c. and an Ingrossed Bill entituled, An Act to continue such Actions now depending in the Provincial Court, &c. were severally read and assented to, and sent to the Upper House, with the Paper Bills thereof, by Col. R. J. Henry and Capt. Lux.

Mr. Harris, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act impowering the Justices of Calvert County Court, to assess and levy on the taxable Inhabitants of the said County a Sum not exceeding 1000 l. current Money, and to impower certain Commissioners therein named to appropriate the same, towards building, finishing, and compleating a new County Court-House for the said County; which was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Friday Morning, June 2, 1749. June 2

The House met according to Adjournment: The Members were called, and all present as yesterday. The Proceedings of yesterday were read.

L. H. J. Liber No. 46 June 2

Ordered, That Mr. John Darnall do pay to the Clerk of this House, and to the Serjeant at Arms, the Fees that arose due on his Petition preferred to this House; and that Mr. Wootton and Mr. Benjamin Mackall do tax the Fees, and make a Report thereof.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for ascertaining the Allowance of Petit Jurors attending the Provincial Court; to limit Costs with respect to Evidences, and for settling their Allowance as to itinerant Charges: Which was read the first Time, and ordered to lie on the Table.

p. 845

Col. Sprigg, from the Committee of Elections and Privileges, delivers to Mr. Speaker the following Report; viz.

By the Committee of Elections and Privileges, June 2, 1749.

Your Committee having inspected the Writs directed to the several Sheriffs, for electing Deputies and Delegates to serve in this General Assembly, do find;

That Mr. Benjamin Pearce, Mr. Peter Bayard, Mr. John Baldwin, and Mr. Richard Thompson, senior, Members of Cæcil County, are duly returned:

That Mr. John Goldsborough, Mr. Nicholas Goldsborough, Mr. Robert Lloyd, and Mr. Edward Oldham, Members of Talbot County, are duly returned:

That Mr. Edward Tilghman, Mr. William Hopper, Mr. John Davis, and Mr. Thomas Wilkinson, Members of Queen Anne's County, are duly returned:

That Col. Robert King, Mr. Robert Jenckins Henry, Mr. Isaac Handy, and Mr. Henry Waggaman, Members of Somerset County, are duly returned:

That Mr. Thomas Robins, Mr. John Selby, Mr. John Scarborough, and Mr. John Henry, Members of Worcester County, are duly returned:

That Mr. George Buchanan, Mr. John Paca, Mr. Thomas Sheredine, and Mr. Darby Lux, Members of Baltimore County, are duly returned:

That Mr. Philip Hammond, Mr. Thomas Worthington, Doctor Charles Carroll, and Mr. Stephen Bordley, Members of Anne Arundel County, are duly returned:

That Mr. Zachariah Bond, Mr. Abraham Barnes, Mr. Philip Key, and Mr. James Mills, Members of St. Mary's County, are duly returned:

That Mr. John Stoddert, Mr. Bayne Smallwood, Mr. Jonathan Wilson, and Mr. Arthur Lee, Members of Charles County, are duly returned:

That Mr. Turnor Wootton, Col. Edward Sprigg, Capt. John Addison, and Mr. William Murdock, Members of Prince George's County, are duly returned: L. H. J. Liber No. 46 June 2

That Mr Henry Wright Crabb, Mr. Thomas Owen, Mr. Joseph Chaplain, and Mr. Daniel Dulany, junior, Members of Frederick County, are duly returned:

That Mr. Robert Gordon, and Mr. Walter Dulany, Members of the City of Annapolis, are duly returned.

And we also find annexed to the Writ for Dorchester County, an Instrument of Writing between the Sheriff of the said County, of the one Part, and Henry Hooper, and several of the Freeholders and Electors of the aforesaid County, of the other Part, under the Hands and Seals of the said Sheriff and Electors, but not Indented; also an Instrument of Writing between thé said Sheriff, of the one Part, and Philemon Lecompte, and several of the Freeholders and Electors of the said County, of the other Part, under the Hands and Seals of the said Sheriff and Electors, but not Indented; also an Instrument of Writing between the said Sheriff, of the one Part, and Daniel Sulivane, and several of the Freeholders and Electors of the said County, of the other Part, under the Hands and Seals of the said Sheriff and Electors, but not Indented; also an Instrument of Writing between the said Sheriff, of the one Part, and Henry Travers, and several of the Freeholders and Electors of the said County, under the Hands and Seals of the said Electors, and subscribed by the said Sheriff, but not sealed by him, and not Indented.

To the Writ for Calvert County, we find annexed four several Instruments of Writing, between the Sheriff of the said County, of the one Part, and James John Mackall, James Heighe, Benjamin Mackall, junior, of Patuxent, and Benson Bond, and several of the Freeholders and Electors of the same County, of the other Part, under the Hands and Seals of the said Sheriff and Electors; but not Indented.

We find four several Indentures between the Sheriff of Kent County, of the one Part, and Matthias Harris, Richard Lloyd, Simon Wilmer, and Nicholas Smith, and several of the Freeholders and Electors of the said County, of the other Part, under the Hands and Seals of the said Sheriff and the said Electors; but do not find any Writ from that County.

All which is submitted to the Consideration of your Honourable House; and whether the sending for the Sheriffs abovementioned, and passing such Censure on them as to the Wisdom of the House shall seem meet, would not be a means to prevent such Remissness for the future. p. 846

Signed per Order, Thomas Harwood, junior, Cl. Com.

On reading thereof, the House concurs therewith.

L. H. J. Liber No. 46 June 2

Ordered, That the Clerk of this House do issue a separate Summons for the Sheriffs of Kent, Dorchester, and Calvert Counties, to attend at the Bar of this House on Friday the 9th Day of June Instant.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

The Bill entituled, An Act to abolish June County Courts, &c. was read the second Time and will pass, and was sent to the Upper House by Mr. Bordley and Mr. Benjamin Mackall.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for issuing Writs of Replevin, &c. Indorsed, " By the Upper House of Assembly, Read the second Time, and will not pass.

" Signed per Order, J. Ross, Cl. Up. Ho."

Col. Hammond, from the Upper House, delivers to Mr. Speaker a Petition of Jacob Holland, Richard Gott, and Richard Holland, praying to have Leave to bring in a Bill to cut off the Entail of Part of a Tract of Land, called Holland's Choice, &c. a Petition of the Rector, Vestrymen, and Churchwardens, and Parishioners of Somerset Parish in Somerset County, and some of the Inhabitants within the Bounds of Stepney Parish; a Petition of the Vestry and Churchwardens of Stepney Parish in Somerset County, and sundry of the Inhabitants of the said Parish; and a Petition of the Inhabitants of the upper Part of Stepney Parish, lying in Worcester County, praying to have the aforesaid Parishes divided, as in the said Petitions described; a Petition of the Rector, Vestrymen, and Churchwardens, and other the Inhabitants of St. Paul's Parish in Baltimore County, praying Leave to bring in a Bill to have the Quantity of 40000 lb. of Tobacco levied and assessed on the taxable Inhabitants of the said Parish, &c. Indorsed severally, " By the Upper House, referred to the Consideration of the Lower House."

Which Petitions were severally read here, and ordered to lie on the Table.

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker a Petition of several of the Inhabitants of Charles County, praying to have a Warehouse at Allen's Fresh, &c. a Petition of Mrs. Catharine Pritchard, praying Relief against a certain Rebecca Tilly, who administred on her Husband's Estate; and a Petition of Hugh Jones, Rector of St. Stephen's Parish in Cæcil County, praying to have a Square of four Acres of the Glebe Land of the said Parish transferred to him, &c. Which Petitions were severally referred by the Upper House to the Consideration of the Lower House; and were here read, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Saturday Morning, June 3. 1749. L. H. J. Liber No. 46 June 3

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

The Petition of the Inhabitants of the upper Part of Stepney Parish, lying in Worcester County, was read and granted.

The Petition of the Rector, Vestrymen, Churchwardens, and Parishioners of Somerset Parish in Somerset County, and some of the Inhabitants within the Bounds of Part of Stepney Parish, was read and granted.

The Petition of the Vestry and Churchwardens of Stepney Parish in Somerset County, and sundry of the Inhabitants of the said Parish, was read.

Ordered, That Stepney Parish be divided, and that Col. King, Col. Robert Jenckins Henry, Capt. Waggaman, Capt. Robins, Major Selby, Col. Scarborough, and Col. John Henry, be a Committee to p. 847 divide Stepney Parish, and settle a new Parish thereout, and make a Report thereof to the House.

The Petition of Jacob Holland, Richard Gott, and Richard Holland, was read. Ordered, That Mr. Nicholas Goldsborough, Capt. Stoddert, and Col. John Henry, be a Committee to enquire into the Allegations and the Matters contained in the said Petition, and report the same to the House.

The Petition of the Rev. Mr. Hugh Jones was read, and referred for Consideration on Tuesday next.

The Petition of Catharine Pritchard was read and rejected.

The House adjourns until Monday Morning at 9 of the Clock.

Monday Morning, June 5, 1749. June 5

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Capt. Lux, Capt. Paca, and Capt. Tilghman. The Proceedings of Saturday were read.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act repealing Part of an Act entituled, An Act to encourage the destroying of Wolves, Crows, and Squirrels; which was read the first Time, and ordered to lie on the Table.

Mr. Wootton, from the Committee appointed to tax the Fees on John Darnall's Petition, delivers to Mr. Speaker the following Report:

June 5, 1749.

In Pursuance of an Order of the Lower House of Assembly, to settle sundry Fees arising due to the Officers of that House, on a

L. H. J. Liber No. 46 June 5

Petition and Complaint made there by John Darnall, Esq; we have proceeded to tax the same in Manner following:

To the Clerk of the House, for one Summons,	0 3 0
To the Serjeant, for a Messenger to Frederick Town,	2 0 0
To Ditto, for summoning one Person,	0 3 0

Turnor Wootton,
Benja. Mackall.

On reading the said Report, the House concurs therewith.

On motion for Leave to bring in a Bill, to reduce the Allowances now made to the Members of the Upper and Lower Houses of Assembly, Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion of a Member, Ordered, That the Sheriff of Charles County be summoned to attend at the Bar of this House on Wednesday the 7th Instant, on the Petition and Complaint of Henry Moore, and that the Clerk issue a Summons forthwith, directed to the Serjeant at Arms.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment, &c.

The Petition of sundry Freeholders and others, residing on the North Side of Elk River, in Cæcil County, being by Order of the House to be heard this Day, the House resolved itself into a Committee of the whole House, to take the said Petition into Consideration.

Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

Col. King, from a Committee of the whole House, delivered to Mr. Speaker the following Report:

By a Committee of the whole House, June 5, 1749.

That the Committee had proceeded to take under Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House, that the said Committee may sit again, to proceed further on the said Affair.

Thereupon, Resolved, That this House will, on the Morrow Morning, resolve itself into a Committee of the whole House, to consider further on the Petition of the Freeholders and others, residing on the North Side of Elk River, in Cæcil County.

The House adjourns until Tomorrow Morning at 8 of the Clock.

Tuesday Morning, June 6. 1749. L. H. J. Liber No. 46 June 6

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

Capt. Tilghman and Capt. Bond appeared in the House. p. 848

In Pursuance of the Resolve of yesterday, the House resolved itself into a Committee of the whole House, to take further into Consideration the Petition of the Freeholders and others, on the North Side of Elk River in Cæcil County.

Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

Col. King, from a Committee of the whole House, delivers to Mr. Speaker the following Report:

By a Committee of the whole House, June 6, 1749.

That the Committee had further proceeded to take under their Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House that the said Committee may sit again, to proceed further on the said Affair.

Resolved, That this House will, in the Afternoon, resolve itself into a Committee of the whole House, to consider further on the Petition of sundry Freeholders and others, residing on the North Side of Elk River in Cæcil County.

The House adjourns until 2 of the Clock.

Post Meridiem,

The House met according to Adjournment, &c.

Capt. Paca appeared in the House.

In Pursuance of the Resolve of this Day, the House resolved itself into a Committee of the whole House, to consider further on the Petition of sundry Freeholders and others, residing on the North Side of Elk River, in Cæcil County.

Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

Col. King, from the Committee of the whole House, delivers to Mr. Speaker the following Report:

By a Committee of the whole House, June 6, 1749.

That at a Committee of the whole House, the said Committee had taken into Consideration the Petition of sundry Freeholders and others, residing on the North Side of Elk River, in Cæcil County, complaining of an undue Election and Return for the said County:

L. H. J. Liber No. 46 June 6

And Resolved, That the late Election had for Cæcil County was not a free Election for the said County, and therefore is wholly null and void; and that Messieurs Benjamin Pearce, Peter Bayard, John Baldwin, and Richard Thompson, are not duly elected Delegates for the said County: And Ordered, That Mr. Chairman Report the same to the House accordingly.

The House concurs with the Report, without a Division, and Ordered, That Mr. Speaker do acquaint Messieurs Pearce, Bayard, Baldwin, and Thompson, that they are discharged from any further Attendance on this House; which Mr. Speaker accordingly did.

Ordered, That Mr. Speaker do issue his Warrant, directed to the Secretary of this Province, to make out a new Writ of Election, directed to the Sheriff of Cæcil County, to elect four Delegates to serve in this present General Assembly for the said County, in the Room of Messieurs Benjamin Pearce, Peter Bayard, John Baldwin, and Richard Thompson.

Resolved, That every Voter in this Province hath a Right to name and give in his Vote, upon every General Election (for a County for any such four Delegates, or for the City of Annapolis for any such two Delegates), being qualified by Law, as he shall incline, should represent him in Assembly: And that every Voter shall, upon such General Election, or other Election for more than one Delegate, give in his Vote for the whole Number to be chosen on that Election, at the Time of his voting at the Poll, or shall be precluded from giving any further Vote during that Election.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bill entituled, An Act enlarging the Time for receiving and paying the Public and County Levies, &c. Indorsed, "By the Upper House of Assembly, June 1, 1749; the Ingrossed Bill, whereof this is in the Original, is read and assented to."

On motion of a Member, Resolved, That the Sheriff of Cæcil County do pay the Fees and Charges that arose on the Petition of sundry Freeholders and others, residing on the North Side of Elk River, in Cæcil County.

Ordered, That Col. King, Mr. Wootton, and Mr. Harris, do tax the Fees and Charges that arose on the aforesaid Petition, and report the same to the House.

Capt. Waggaman, Capt. Paca, Capt. Hopper, Mr. Wilson, Capt. Lee, Mr. Wilmer, Capt. Owen, and Mr. Benjamin Mackall, are added to the committee for inspecting the Accounts and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly.

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Mr. Oldham hath Leave to go home.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Wednesday Morning, June 7, 1749. L. H. J. Liber No. 46 June 7

The House met according to Adjournment: The Members were called, and all present as yesterday except Mr. Oldham. The Proceedings of yesterday were read.

Mr. Daniel Dulany, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to reduce the Allowance of the Members of both Houses of Assembly; which was read the first Time, and ordered to lie on the Table.

Col. Sprigg delivers to Mr. Speaker a Bill entituled, An Act for processioning Lands, in order to perpetuate the Bounds thereof; and for other Purposes therein mentioned; which was read the first Time, and ordered to lie on the Table.

On motion for Leave to bring in a Bill, to prevent raising of Swine and Geese in Bladensburg, Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Ordered, That Mr. Key and Mr. Robert Lloyd go and acquaint the Governor, that a Bill For regulating the Time for receiving and paying the Public and County Levies, Parochial Charges, Clergys Allowances, Attorneys and Officers Fees, for this present Year, had passed both Houses, and is ready for his Excellency's Assent: They return, and acquaint Mr. Speaker they deliver'd the Message.

On motion for Leave to bring in a Supplementary Bill to the Act for amending the Staple of Tobacco, &c. Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Samuel Chamberlaine, Esq; from the Upper House, acquaints Mr. Speaker, that the Governor requires the Attendance of the Lower House in the Upper House.

Mr. Speaker left the Chair, and, attended by the Members of the Lower House, went to the Upper House; where Mr. Speaker presented to his Excellency the Ingrossed Bill entituled, An Act for enlarging the Time for receiving and paying the Public and County Levies, Parochial Charges, Clergy's Allowances, Attorneys and Officers Fees, for this present Year; which the Governor passed into a Law in the usual manner.

Mr. Speaker returned, with the Members of the Lower House, and resumed the Chair.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Capt. Lux appeared in the House.

Mr. Lloyd, from the Committee of Laws, brings in a Bill entituled, An Act to prohibit the raising of Swine and Geese in the

L. H. J. Liber No. 46 June 7

Town of Bladensburg, in Prince George's County; which was read the first Time, and ordered to lie on the Table.

The Petition of John Smith Prather, of Frederick County, on Behalf of himself and the Freeholders of the said County, being referred by Order of the House for an Hearing this Day; the House resolved itself into a Committee of the whole House thereon.

Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

Col. King, from the Committee of the whole House, delivers to Mr. Speaker the following Report:

By a Committee of the whole House, June 7, 1749.

Resolved, That this Committee return to the House, and that Mr. Chairman do report to the House, that the Committee had proceeded to take under their Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House to sit again, to proceed further on the said Affair.

On Consideration of the said Report, Resolved, That this House will, on the Morrow Morning, resolve itself into a Committee of the whole House, to consider further on the Petition of John Smith Prather, &c.

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 8

Thursday Morning, June 8, 1749.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

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On motion for Leave to bring in a Bill for the Encouragement of Jonas Green, of the City of Annapolis, Printer, Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

In Pursuance of the Resolve of yesterday, the House resolved itself into a Committee of the whole House, to consider further on the Petition of John Smith Prather.

Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

Col. King, from the Committee of the whole House, delivers to Mr. Speaker the following Report:

By a Committee of the whole House, June 8, 1749.

Resolved, That this Committee return to the House, and that Mr. Chairman report, that the Committee had further proceeded to

take under their Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House to sit again, to proceed further on the said Affair. L. H. J. Liber No. 46 June 8

On Consideration of the said Report, Resolved, That this House will, in the Afternoon, resolve itself into a Committee of the whole House, to consider further on the Petition of John Smith Prather.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

The Petition of sundry the Inhabitants of St. Paul's Parish in Baltimore County, was read, and Leave given to bring in a Bill according to Prayer:

Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

In Pursuance of the Resolve of this Day, the House resolved itself into a Committee of the whole House, to consider further on the Petition of John Smith Prather.

Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

Col. King, from the Committee of the whole House, delivers to Mr. Speaker the following Report:

By a Committee of the whole House, June 8, 1749.

That the said Committee had taken into Consideration the Petition of John Smith Prather, of Frederick County, in Behalf of himself and the Freeholders of the said County, complaining of an undue Election and Return made by the Sheriff of the said County, in returning Daniel Dulany, junior, as a Delegate to serve in this Assembly for the said County, in the Room and Stead of the said John Smith Prather. Resolved, by this Committee, That the said Daniel Dulany, junior, is not duly elected. Resolved, That the said John Smith Prather is duly elected. And Ordered, That Mr. Chairman do report the same to the House.

The House concurs with the aforesaid Report, without a Division.

Ordered, That Mr. Speaker do acquaint Mr. Daniel Dulany, that he is dismissed from any further Attendance on this House; which Mr. Speaker accordingly did.

Ordered, That the Sheriff of Frederick County be called to the Bar of this House, to erase out the Name of Daniel Dulany, junior, Esq; mentioned in the Indenture annexed to the Writ of Election returned by him, and insert therein the Name of John Smith Prather, Gentleman; which the Sheriff accordingly did.

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Ordered, That Mr. John Smith Prather be acquainted to make his Appearance in the House. Mr. John Smith Prather appears in the House.

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 9

Friday Morning, June 9, 1749.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

It being moved, at the Request of Henry Moore, of Charles County, Gentleman, that his Petition be referred for Consideration next Assembly, the same is referred accordingly.

On considering the Report from the Committee of Elections and Privileges, the Sheriff of Kent County was ordered to attend at the Bar of this House; and being interrogated wherefore he did not return the Writ of Election to him lately directed, for the choosing of four Delegates to serve in this present Assembly, makes it appear, that after the said Writ had been by him duly published, and a Time
p. 851 appointed thereby when the Election for the said County should be proceeded on, he delivered the same Writ to one of his Under Sheriffs; who, before the Day of the said Election, had accidentally mislaid it, and that it had not since been found: The Sheriff was ordered to withdraw.

Resolved, That the said Writ of Election for Kent County was duly executed by the Sheriff of the said County, and that the sitting Members are duly elected.

The Sheriff of Dorchester County was ordered to attend at the Bar of this House: Mr. Speaker acquainted him, that it is the Order of this House, that he do indent, at the Bar of the House, the several Instruments in Writing returned with the Writ of Election; and affix his Seal to one of them, which he had omitted to do: The Sheriff accordingly indented and affixed his Seal to the beforementioned Instruments, and was ordered to withdraw.

The Sheriff of Calvert County having acquainted Mr. Speaker by Letter, that he was incapable, by Sickness, to attend according to Order of this House, his Excuse was admitted.

Ordered, That his Deputy Sheriff do attend at the Bar of this House; which he accordingly did. Mr. Speaker acquainted him, that it was the Order of the House, that, on Behalf of the High Sheriff of Calvert County, he, as his Deputy, do indent the several Instruments in Writing, returned with the Writs of Election for said County, which the High Sheriff had omitted to do. The Deputy Sheriff accordingly indented the same, and was ordered to withdraw.

Ordered, That Mr. Wootton and Capt. Owen do go to the Upper House with Mr. John Smith Prather, a Delegate for Frederick County, to see him qualified: They return, and acquaint Mr. Speaker they saw him qualified in the usual manner. The Gentleman took his Seat in the House. L. H. J. Liber No. 46 June 9

Benedict Calvert, Esq; from the Upper House, delivers to Mr Speaker a Petition of the Vestry, Churchwardens, and Parishioners of King and Queen Parish, in St. Mary's County; a Petition of sundry of the Inhabitants of Baltimore County; and a Petition of several of the Inhabitants of Frederick County; severally Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly." Which were ordered to lie on the Table.

On reading the Petition of William Smallwood, Prisoner in Charles County Goal, the Sheriff of Charles County was ordered to attend at the Bar of this House; and being heard in his Defence, was ordered to withdraw.

The House being of Opinion, that the Sheriff of Charles County ought to provide separate Rooms, wherein to keep the Prisoners for Debt committed to his Custody, apart from Felons;

Mr. Speaker is desired to acquaint him therewith: The Sheriff was called to the Bar of the House, and Mr. Speaker acquainted him with the Sense of the House; and that he was discharged from any further Attendance, on paying the several Fees due to the Clerk of the House and the Serjeant at Arms.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

The Petition of sundry the Inhabitants of St. Mary's County, in Behalf of themselves and others, Freeholders, Freemen, and Voters in the said County, according to an Order of the House, being to be heard this Day:

On motion, the House resolved itself into a Committee of the whole House, to consider of the Matters contained in the said Petition.

Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

Col. Hooper, from the Committee of the whole House, delivers to Mr. Speaker the following Report:

By a Committee of the whole House, June 9, 1749.

Resolved, That this Committee do return to the House, and that Mr. Chairman report, that the Committee had proceeded to take

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under Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House to sit again, to proceed further on the said Affair.

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On Consideration of the said Report, Resolved, That this House will resolve itself into a Committee of the whole House on the Morrow Morning, to consider further on the Petition of the Inhabitants of St. Mary's County, &c.

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 10

Saturday Morning, June 10. 1749.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

In Pursuance of the Resolve of yesterday, the House resolved itself into a Committee of the whole House, to take further into Consideration the Matters complained of in the Petition of sundry the Inhabitants of St. Mary's County.

Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

Col. Hooper, from the Committee of the whole House, delivers to Mr. Speaker the following Report; viz.

By a Committee of the whole House, June 10, 1749.

Resolved, That this Committee do return to the House, and that Mr. Chairman report, that the Committee had further proceeded to take under Consideration the Matter referred to them by the Honourable House; but not having had Time to compleat the same, prays Leave of the House to sit again, to proceed further on the said Affair.

Thereupon, Resolved, That the House will resolve itself into a Committee of the whole House, to consider further on the Petition of sundry the Inhabitants of St. Mary's County, in the Afternoon.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment, &c.

In Pursuance of the Resolve of this Day, the House resolved itself into a Committee of the whole House, to consider further on the Petition of sundry the Inhabitants of St. Mary's County, &c.

Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

Col. Hooper, from the Committee of the whole House, delivers to Mr. Speaker the following Report: L. H. J. Liber No. 46 June 10

By a Committee of the whole House, June 10, 1749.

That at a Committee of the whole House, the said Committee had taken into Consideration the Petition of sundry the Inhabitants of St. Mary's County, complaining of an undue Election and Return for the said County; and Resolved, That the late Election had for St. Mary's County was not a fair and free Election for the said County, and therefore is wholly null and void; and that Messieurs Zachariah Bond, Philip Key, Abraham Barnes, and James Mills, are not duly elected Delegates for the said County.

Resolved, That Robert Chesley, Sheriff of St. Mary's County, did not, before the late Election of Delegates for the said County to serve in this present General Assembly, give to the Freeholders and other Voters of the said County, Notice of the Time of such Election, according to the Directions of the Act of Assembly of this Province entituled, An Act directing the Manner of Electing and Summoning Delegates and Representatives, to serve in succeeding Assemblies; and for ascertaining the Expences of the Counsellors, Delegates of Assembly, and the Commissioners of the Provincial and County Courts of this Province; and did behave with great Partiality, by endeavouring to deter and hinder, by Threats and Menaces, some of the Freeholders and other Voters of the said County from their Freedom of Voting; and thereby, and also by offering a Reward to another Person, did induce him, and terrify them, into giving their Votes for the four Candidates by him the said Sheriff afterwards returned for the said County, as Delegates to this present General Assembly. And directed the Chairman to report the same to the House.

Ordered, That Mr. Speaker do acquaint Mr. Bond, Mr. Key, Mr. Barnes, and Mr. Mills, that they are dismissed from any further Attendance on this House. p. 853

Ordered, That Mr. Speaker do issue his Warrant to the Secretary of this Province, to make out forthwith a Writ of Election directed to the Sheriff of St. Mary's County, to elect four Members to serve in this present General Assembly, in the Room of Messieurs Zachariah Bond, Philip Key, Abraham Barnes, and James Mills.

Resolved, That it is an high Infringement of, and a dangerous Attack upon, the Liberties and Privileges of the Freemen of this Province, and tends to subvert the Freedom of Elections of Delegates to serve in Assembly, for any Person who, in the Time of a General Assembly of this Province, doth, or hereafter shall, sit as a Member of an Upper House of Assembly, any way to interest, intermeddle, or concern himself in the Election of Delegates to serve

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in Assembly, so long as such House doth or shall claim or exercise a Negative on any of the Proceedings of the House of Delegates.

Resolved, That none of the Persons, who in the Time of a General Assembly of this Province do, or hereafter shall, sit as Members of an Upper House of Assembly, and do or shall, for the Time being, as such, claim or exercise a Negative on any of the Proceedings of the House of Delegates of the said Province, have any Right to vote at an Election of Delegates to serve in Assembly, so long as such Negative shall be claimed or exercised: And that any Vote given by such Person is and shall be deemed and taken to be absolutely void, and of no Effect, in such Election.

Mr. Harris hath Leave to go home.

Ordered, That the Serjeant at Arms do take Mr. Robert Chesley, the Sheriff of St. Mary's County, into Custody.

The House adjourns until Monday Morning at 9 of the Clock.

June 12

Monday Morning, June 12, 1749.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. Harris, Capt. Addison, and Capt. Lee. The Proceedings of Saturday were read.

The House appointed Col King, Mr. Wootton, and Dr. Buchanan, a Committee to tax the several Fees and Charges, that arose on the Petition of sundry the Inhabitants of St. Mary's County; and Ordered, That they do report the same to the House.

On motion that a Bill be brought in, to reduce the legal Interest on Tobacco, Money, and the Damages on Protested Bills of Exchange; Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

The Petition of the Reverend Mr. Hugh Jones, Rector of St. Stephen's Parish, in Cæcil County, was read and referred to the Consideration of next Assembly; and Ordered, That the Petitioner give Notice to all Persons concerned, of his having preferred his Petition to the General Assembly, and of the Order of Reference.

Col. King, from the Committee appointed to tax the Fees and Charges on St. Mary's County Petition, delivers to Mr. Speaker the following Report:

By the Committee appointed by the Lower House of Assembly, to settle the Allowances to the several Evidences, for their Attendance

and itinerant Charges; also the Fees accrued to Officers of the House on the Petition and Complaint of sundry the Inhabitants of St. Mary's County. June 12, 1749. L. H. J. Liber No. 46 June 12

Your Committee have proceeded to tax the same in the following Manner; viz.

To the Clerk of the House, for 28 Subpœnas,	4 04 0		
To the Serjeant, for serving 12 Subpœna's on Evidences, —— —— ——	1 16 0		
To Ditto, for 9 Subpœna's, returned Non est inventus, —— —— ——	0 09 0		p. 854
To Ditto, for a Messenger to St. Mary's County, with the Subpœna's, —— ——	1 10 0		
To Ditto, for Commitment and Releasement of the Sheriff of St. Mary's County, ——	0 04 0		
		3 19 0	
To Samuel Abell, for 3 Days Attendance as an Evidence, and 6 Days itinerant Charges,	2 02 0		
To John Reeder, for Ditto, —— ——	2 02 0		
To Thomas Graves, for Ditto, —— ——	2 02 0		
To Shadrech Vessels, for Ditto, —— ——	2 02 0		
To James Keech, for Ditto, —— ——	2 02 0		
To William Gerrard Coode, for Ditto, ——	2 02 0		
To William Morgan, for Ditto, —— ——	2 02 0		
To William Baxter, for Ditto, —— ——	2 02 0		
To Thomas Batswell, for Ditto, —— ——	2 02 0		
To Thomas Reeder, for Ditto, —— ——	2 02 0		
		21 00 0	
		£. 29 03 0	

All which is submitted to the Consideration of the House, by

R. King,
Geor. Buchanan,
Turnor Wootton.

On reading the aforesaid Report, the Question was put, Whether the House concurs with the Report, or not? Resolved in the Affirmative.

For the Affirmative,

Mr Richard Lloyd,	Mr N. Goldsborough,	Mr Wootton,
Carroll,	J. Goldsborough,	Murdock,
Worthington,	Robert Lloyd,	Gordon,
Bordley,	Sulivane,	Tilghman,
B. Bond,	Lecompte,	Crabb,
Smallwood,	Travers,	Chaplain,
Wilson,	Paca,	Prather.

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For the Negative,

Mr Smith,	Mr Sheredine,	Mr Selby,
Wilmer,	Buchanan,	Scarborough,
King,	Lux,	J. Henry,
R. J. Henry,	Sprigg,	Owen.
Handy,	W. Dulany,	
Waggaman,	Robins,	

Resolved, That Robert Chesley, Sheriff of St. Mary's County, for not giving Notice to the Inhabitants of the said County of the Time and Place appointed for Election of Delegates for that County, to serve in this present General Assembly, according to the Directions of an Act of Assembly entituled, An Act directing the Manner of electing and summoning Delegates and Representatives, to serve in succeeding Assemblies; and for ascertaining the Expences of the Counsellors, Delegates of Assembly, and Commissioners of the Provincial and County Courts of this Province; and for making an undue and illegal Election and Return of Delegates for the said County, to serve in this present General Assembly; be, and the said Robert Chesley is fined in the Sum of five Pounds Sterling.

Ordered, That Mr. Robert Chesley be called to the Bar of the House, and that Mr. Speaker acquaint him with the Resolve of the House; and that he be dismissed, on Payment to the Serjeant at Arms the Fees and Charges that arose due on the Petition of the Inhabitants of St. Mary's County, as they are taxed by a Committee of this House on that Affair especially appointed.

The Bill entituled, An Act to prohibit the raising Swine and Geese in the Town of Bladensburg, &c. was read the second Time, and will pass, and was sent to the Upper House by Major Sheredine and Capt. Owen.

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 13 p. 855

Tuesday Morning, June 13, 1749.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

Capt. Addison, Capt. Lee, and Mr. Oldham, appeared in the House.

Mr. Robert Lloyd hath Leave to go home.

The Petition of the Inhabitants of Frederick County, praying an Act to lessen the Bounty made for killing Wolves, &c. was read and rejected.

On motion that a Bill be brought in, to oblige the Sheriffs of this Province to keep all Persons, committed to their Charge, in the

County Prison, when built and repaired; Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. L. H. J. Liber No. 46 June 13

Ordered, That the Committee of Accounts do not receive any Accounts or Public Claims after Saturday next; and that the Committee of Accounts do close the Journal of Accounts on Tuesday next.

Ordered, That no new Business be proceeded on, after 12 o'Clock on Saturday next.

The Bill entituled, An Act impowering the Justices of Calvert County Court, &c. was read the second Time, and will pass; and was sent to the Upper House by Mr. James John Mackall and Mr. Benson Bond.

The House adjourns until 2 of the Cloçk.

Post Meridiem.

The House met according to Adjournment.

The Petition of the Vestry, Churchwardens, and Parishioners, of King and Queen Parish, in St. Mary's County, was read, and referred to the next Assembly.

Mr. Nicholas Goldsborough, from the Committee of Grievances, delivers to Mr. Speaker the following Report:

By the Committee of Grievances and Courts of Justice,
June 13, 1749.

Whereas a certain Jasper Hall, of Baltimore County, hath complained to your Committee, That being possessed of twenty Acres Part of a Tract of Land called Jacob's Lot, in Baltimore County, the Rent of which to the Lord Proprietary amounts, at the largest Computation, to ten Pence Sterling per Annum, which he the said Hall saith he was, at all Times from his having the said Land, ready to pay, which was in the Year 1746; but that in the Year 1747, a certain William Young, Receiver of his Lordship's Quit Rents in the said County, without ever making any Demand for the said Rent of him the said Jasper Hall, caused a certain Henry Morgan, Sheriff of the same County, to distrain him the said Hall; which he did, by taking one Bed, one Chest, and one Spinning wheel, the Property of the said Hall, for the Sum of twelve Shillings, which he the said Young, and the said Sheriff, alleged to be due, as Rent, or Arrears of Rent, for the said Land; which Distress appears to have been made on the tenth Day of July, Seventeen hundred and forty-seven.

Your Committee humbly observe, that at the same Time that the said Distress was made on the said Jasper Hall, a certain Henry

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Rutter was, and had been some Years before, in Possession, by Deed, and living thereon, of thirty Acres, Part of the said Jacob's Lot; the whole Tract containing by Patent only fifty Acres. That the said Young, as Receiver, claimed the Rents or Arrearages only from the Year 1741: whereby the Rent or Arrears of the said twenty Acres, Part of Jacob's Lot, possessed by him the said Hall, would have amounted only to five Shillings Sterling, calculating the Rent and Arrears for six Years; whereby it appears, that the said Jasper Hall was overcharged at that Time for the Sum of seven Shillings Sterling; but that the said Jasper Hall notwithstanding paid the Sum of twelve Shillings Sterling, with fifteen Shillings Currency Cost thereon.

That in the Year 1747, on December the fourteenth, a certain Isaac Risteau, as Deputy Sheriff, likewise distrained upon the said twenty Acres, Part of the said Jacob's Lot, a Feather-bed, without mentioning for what Sum, only in general for Rent due on the Premisses: After which the said Jasper Hall paid unto a certain Thomas Sheredine, junior, as Deputy Sheriff, in consequence of the said Distress, the Sum of two Pounds fifteen Shillings Currency, in lieu and stead of thirty-four Shillings Sterling, besides Costs.

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And it likewise appears unto your Committee, that the said Hall, at the Time of making the last Distress, and for some Time before, had Right to a certain Tract of Land, called Major's Choice, in the same County, containing one hundred and forty Acres, the yearly Rent whereof amounting to five Shillings and seven Pence half-penny per Annum; which, from 1741 to 1747, the Time of making the Distress, would have been thirty three Shillings and nine Pence Sterling. Your Committee take Leave to observe, that the latter Distress was made on different Premisses, and that altho' the said Jasper Hall had a Right to the aforesaid Land called Major's Choice, that it was not then, nor hath been yet legally conveyed to him, the Fee Simple remaining in a certain Jacob Morris.

Your Committee further observe, that on the sixteenth Day of December, 1748, a certain Nicholas Orrick, as Deputy to a certain Roger Boyce, Gent. High Sheriff of the said County, by Order of Mr. Wm. Young, Receiver of his Lordship's Quit-Rents as aforesaid, made a Distress on the aforesaid twenty Acres, Part of Jacob's Lot, of one Cart or Plough Horse belonging to him the said Hall, for the Sum of twelve Shillings and nine Pence Sterling for Quit Rents, without mentioning for what Lands; which said Horse the said Orrick carried away, and had him appraised at four Pounds Sterling, and some Time afterwards sold him for four Pounds ten Shillings Currency, as the said Orrick says; which Horse, nor any Consideration for the same, hath hitherto been rendered to him the said Hall.

Your Committee observe, that the Payments made by the said Hall amounted to six Shillings and five Pence more than he was really and, bona Fide, indebted for Rents of the said two Parcels of Land, to September, 1747; and that making such, and the said last Distress of the Horse aforesaid, was against common Reason, as well as common Right, and the Laws of the Land; and that such Actings and Doings tend to the Ruin of his Majesty's loving Subjects the good People of Maryland, and greatly alienate their Minds and Affections from his Lordship's Rule and Government: But is humbly submitted to the Consideration of your Honourable House. L. H. J. Liber No. 46 June 13

Signed per Order, William Wilkins, Clerk.

The Petition of several of the Inhabitants of Charles County, praying to have a Warehouse erected near Allen's Fresh, was read and rejected.

The Petition of several of the Inhabitants of Charles County, praying to have a Warehouse erected at John Bowrman's, near Wicocomico River, under the same Inspection with that at Cedar-Point, was read and rejected.

On motion, Leave is given to bring in a Supplementary Bill to the Act for Amendment of the Staple of Tobacco, &c. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On reading the second Time the Bill entituled, An Act repealing part of an Act, entituled, an Act to encourage the Destroying of Wolves, Crows, and Squirrels; the Question was put, Whether the said Bill shall pass or not? Resolved in the Affirmative.

For the Affirmative,

Mr Carroll,	Mr R. J. Henry,	Mr Robins,
J. J. Mackall,	Sheredine,	Selby,
Heighe,	Buchanan,	Scarborough,
B. Mackall,	Lux,	J. Henry,
Bond,	Wootton,	Crabb,
Smallwood,	Smith,	Chaplain,
Stoddert,	Murdock,	Owen,
Lee,	Gordon,	Prather.
King,	Dulany,	

p. 857

For the Negative,

Mr Smith,	Mr Waggaman,	Mr Travers,
Richard Lloyd,	N. Goldsborough,	Paca,
Wilmer,	J. Goldsborough,	Addison,
Worthington,	Oldham,	Tilghman,
Bordley,	Sulivane,	Hopper,
Wilson,	Hooper,	Wilkinson,
Handy,	Lecompte,	Davis.

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Which Bill was Indorsed, Will pass; and was sent to the Upper House by Dr. Buchanan and Mr. B. Mackall.

The Bill entituled, An Act for ascertaining the Allowance of Petit Jurors, &c. was read the second Time, and will pass; and was sent to the Upper House by Capt. Handy and Capt. Crabb.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to abolish June County Courts, Indorsed, "Read the second Time, and will not pass."

The Bill entituled, An Act for the Tryal of all Matters of Fact, &c. was read the second Time, and will pass; and was sent to the Upper House by Col. Robert Jenckins Henry and five more.

The Report from the Committee of Grievances, relating to the Receiver of the Quit-Rents in Baltimore County, was read, and referred for Consideration on Thursday next.

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 14

Wednesday Morning, June 14, 1749.

The House met according to Adjournment: The Members were called, and all appeared as yesterday, except Mr. Robert Lloyd. The Proceedings of yesterday were read.

Capt. Lux hath Leave to go home.

On motion that a Bill be brought in, to take off the Bounty given for killing Wolves, by an Act entituled, An Act to encourage the destroying of Wolves, Crows, and Squirrels, so far as relates to the Inhabitants of Frederick County; Leave given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Dr. Carroll, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to prevent the Evils arising by Pedlars, Hawkers, and petty Chapmen; which was read the first Time, and ordered to lie on the Table.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer; which was read the first Time, and ordered to lie on the Table.

On motion that a Bill be brought in, to impower the Justices of Queen Anne's County to sell the Materials that composed the old Goal in Queen Anne's County, and to apply the Money arising thereby for the Use of the County; Leave given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker a Petition of the Rector, Churchwardens, and Vestrymen of King

George's Parish in Prince George's County; a Petition of Mrs. Araminta Macky, Widow; a Petition of the Inspectors of the Warehouses at Bruff's Landing on St. Michael's River, and at the Old Field Landing on Wye River, in Talbot County; and a Petition of the Inhabitants on the Bay-Side, in Calvert County; severally Indorsed, "Referred by the Upper House of Assembly to the Consideration of the Lower House of Assembly." L. H. J. Liber No. 46 June 14

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment. p. 858

Mr. Harris appeared in the House.

On motion of a Member that a Bill be brought in, to render any Person incapable of a Seat in the Lower House of Assembly, that enjoys a Place of Profit from the Lord Proprietary; Leave given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On reading a second Time the Bill entituled, An Act for processioning Lands, &c. the Question was put, Whether the Time for surveying and taking up Vacancy, shall be two Months, or six Months? Resolved, That it be six Months.

For Six Months,

Mr Smith,	Mr Stoddert,	Mr Buchanan,
Richard Lloyd,	Lee,	Wootton,
Wilmer,	Wilson,	Addison,
Carroll,	Handy,	Gordon,
Worthington,	N. Goldsborough,	Hopper,
Bordley,	J. Goldsborough,	Wilkinson,
J. J. Mackall,	Oldham,	Davis,
Heighe,	Sulivane,	Robins,
B. Mackall,	Hooper,	Selby,
Bond,	Lecompte,	Scarborough,
Smallwood,	Travers,	J. Henry.

For Two Months,

Mr King,	Mr Sprigg,	Mr Chaplain,
R. J. Henry,	Murdock,	Owen,
Waggaman,	Dulany,	Prather.
Sheredine,	Tilghman,	
Paca,	Crabb,	

The Question was put, Whether the Bill entituled, An Act for processioning Lands, in order to perpetuate the Bounds thereof, and

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for other Purposes therein mentioned, shall pass, or Not? Resolved in the Negative.

For the Negative,

Mr Smith,	Mr Stoddert,	Mr Buchanan,
Harris,	Wilson,	Hopper,
Carroll,	Waggaman,	Wilkinson,
Worthington,	N. Goldsborough,	Davis,
Bordley,	J. Goldsborough,	Robins,
J. J. Mackall,	Sulivane,	Selby,
Heighe,	Hooper,	Scarborough,
B. Mackall,	Lecompte,	J. Henry,
Bond,	Travers,	Prather.

For the Affirmative,

Mr Richard Lloyd,	Mr Oldham,	Mr Gordon,
Wilmer,	Sheredine,	Dulany,
Smallwood,	Paca,	Tilghman,
Lee,	Wootton,	Crabb,
King,	Addison,	Owen,
R. J. Henry,	Sprigg,	Chaplain.
Handy,	Murdock,	

The Petition of Mrs. Araminta Macky, Widow, praying Leave to bring in a Bill to impower her to sell an House and Lot, lying in the City of Annapolis, which belonged to Mr. William Alexander, her former Husband, and to apply the Money arising by the Sale towards Payment of his Debts, and other Purposes in the said Petition mentioned, was read.

Ordered, That Mr. Nicholas Goldsborough, Mr. Stoddert, and Col. J. Henry, be a Committee to enquire into the Allegations contained in the said Petition: and to report the same to the House.

The Petition of the Rector, Churchwardens, and Vestrymen of King George's Parish, in Prince George's County, praying Leave to have a Bill brought in, to levy and assess 150 l. in current Money, by two Assessments on the Parishioners, was read and granted. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The Petition of the Inspectors at Bruff's Landing, and at the Old Fields Landing, in Talbot County, praying that the said Warehouses may be under separate Inspections, &c. was read and rejected.

The Petition of sundry of the Inhabitants of Baltimore County, praying Leave to have a Bill brought in, to repeal that Part of the Act of Assembly which exempts those Persons working at Iron-Works from assisting in repairing the Highways, was read and

granted. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. L. H. J. Liber No. 46 June 14

On reading the second Time the Bill entituled, An Act to reduce the Allowance of the Members of both Houses of Assembly, the Question was put, Whether the said Bill shall pass, or Not? Resolved in the Negative.

For the Negative,

Mr Smith,	Mr N. Goldsborough,	Mr Sprigg,	p. 859
Carroll,	J. Goldsborough,	Murdock,	
Worthington,	Oldham,	Tilghman,	
Bordley,	Sulivane,	Hopper,	
Heighe,	Lecompte,	Wilkinson,	
B. Mackall,	Travers,	Davis,	
Bond,	Sheredine,	Selby,	
Smallwood,	Buchanan,	Crabb,	
Stoddert,	Paca,	Chaplain,	
Lee,	Wootton,	Owen,	
Wilson,	Addison,	Prather.	

For the Affirmative,

Mr Richard Lloyd,	Mr R. J. Henry,	Mr Dulany,
Harris,	Handy,	Robins,
Wilmer,	Waggaman,	Scarborough,
J. J. Mackall,	Hooper,	J. Henry.
King,	Gordon,	

Capt. Addison, from the Committee appointed to inspect the Arms and Ammunition, and Accounts relating thereto, delivers to Mr. Speaker the following Report; viz.

By the Committee appointed to inspect the Arms, Ammunition, and Accounts relating thereto; June 13, 1749.

Your Committee having inspected the Arms and Ammunition in the City of Annapolis, do find the same as followeth:

In the Powder House,

134 Sword Belts, 42 Carbines ditto, 1 Box of Flints, 109 Caggs of Leaden Ball, and as much Leaden Ball in 2 old Casks, to the Amount of 22 Caggs, 9 Half-Barrels and 3 Pieces of Half Barrels of old Powder, 6 Barrels and 8 Half-Barrels of new ditto:

Under the Conference Chamber,

2700 lb. of Ball, 300 lb. of large Shot, 980 lb. of Bar Lead:

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In the Room over the Conference Chamber,

72 old Muskets and Carbines much out of Repair, 12 good ditto, 32 Pair of Holsters, 145 Swords, 25 Bayonets, 64 new Swords Belts, 16 old Cutlasses, 6 new Drums, 14 Pistols, 4 Chests of Match:

In the Council Chamber,

375 Muskets and Carbines, 71 Pistols, 22 Trumpets, 8 Drums, 74 Swords, 44 Cartouch Boxes and Belts, and 9 old ditto, 49 Halberts and Pikes, 46 Buckets and Slings, 50 Sword Blades, and 18 Daggers; all which remain fix'd as usual, and are generally clean and in good Order.

We further find, that since May Sessions last, there have been delivered out of the Magazine (per Order of the Governor), to Col. John Henry, half a Barrel of Gunpowder, two Caggs of Leaden Ball, and one Drum, for the Defence of the Seaboard Side of Worcester County.

Your Committee further certify, that they have applied to the Committee of Accounts, in order to inspect the Treasurer's Accounts; and are informed by said Committee, that no Treasurers Accounts lie before them. All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, Robert Tyler, Cl. Com.

On motion, the Question was put, Whether any Allowance be made in the Journal of Accounts to his Lordship's Counsellors, for sitting as a Council of State; or not? Resolved in the Negative.

For the Negative,

M[r] Smith,	M[r] Wilson,	M[r] Murdock,
Richard Lloyd,	Handy,	Tilghman,
Harris,	Waggaman,	Hopper,
Wilmer,	N. Goldsborough,	Wilkinson,
Carroll,	J. Goldsborough,	Davis,
Worthington,	Oldham,	Robins,
Bordley,	Lecompte,	Selby,
J. J. Mackall,	Travers,	J. Henry,
Heighe,	Sheredine,	Crabb,
B. Mackall,	Buchanan,	Chaplain,
Bond,	Paca,	Owen,
Smallwood,	Wootton,	Prather.
Stoddert,	Addison,	
Lee,	Sprigg,	

For the Affirmative,

p. 860 M[r] King,	M[r] Hooper,	M[r] Scarborough,
R. J. Henry,	Gordon,	
Sulivane,	Dulany,	

The House adjourns until Tomorrow Morning at 9 of the Clock.

Thursday Morning, June 15, 1749. L. H. J. Liber No. 46 June 15

The House met according to Adjournment: The Members were called, and all appeared as yesterday, except Capt. Lux. The Proceedings of yesterday were read.

Mr. Robert Lloyd appeared in the House.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to enable the Justices of Baltimore County Court for the Time being, to assess and levy on the taxable Inhabitants of the said County, a Quantity of Tobacco, &c.

And the Bill entituled, An Act impowering the Justices of Calvert County Court, to assess and levy on the taxable Inhabitants, &c.

Severally Indorsed, "By the Upper House of Assembly, June 14, 1749, read the second Time, and will pass."

Which Bills were severally read here, and passed for Ingrossing.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act repealing Part of an Act entituled, An Act to encourage the destroying of Wolves, Crows, and Squirrels, Indorsed, "By the Upper House of Assembly, June 15, 1749, read the second Time, and will pass, the following Clause being added thereto; [This Act to continue for three Years and to the End of the next Session of Assembly which shall happen after the End of the said three Years.]"

The Bill entituled, An Act to prohibit the raising of Swine and Geese in the Town of Bladensburg, &c. Indorsed, "By the Upper House of Assembly, June 15, 1749, read the second Time and will pass, with the following Amendments: After the Word Geese, in the 6th Line, leave out the Clause to the End of the Bill, and insert the following; On the Forfeiture and Penalty of Five Shillings for every such Transgression, one half thereof to be applied to the Use of the Lord Proprietary for the Support of Government, and the other half to the Use of the Informer, to be recovered in the same Manner as small Debts before a single Magistrate, within one Month after such Offence."

And the Bill entituled, An Act for ascertaining the Allowance of Petit Jurors, &c. Indorsed, "By the Upper House of Assembly, June 15, 1749, read the second Time and will pass, with the following Amendments: In the Title of the Bill, instead of the Word Evidences, put Witnesses; in the 2d Line of the last Page, instead of the Word to before attend, put and; in the same Line leave out the Words as Evidences; in the 4th Line of the same Page, instead of the Words an Evidence put a Witness."

The Bill entituled, An Act to prevent the Evils arising by Pedlars, &c. was read the second Time, and will not pass.

The House adjourns until 2 of the Clock.

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Liber No. 46
June 15

Post Meridiem.

The House met according to Adjournment.

On motion that a Bill be brought in, to exempt Persons accused as Criminals, and being acquitted on Tryal, through an Incapacity of paying Fees that have accrued on the Prosecution from being sold for Payment of those Fees, but that those Fees be paid by the public, Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly; and that there be a Clause inserted to exempt Persons who, for want of being able to give Security for Appearance as Witnesses in criminal Cases, are committed, from being sold as Servants, for Payment of the Fees arising on such Commitment; but that those Fees be paid by the Public.

p. 861 The Bill entituled, An Act repealing Part of an Act entituled, An Act to encourage the destroying of Wolves, &c. was read, and, with the Amendments proposed by the Upper House, passed for Ingrossing.

The Bill entituled, An Act for ascertaining the Allowance of Petit Jurors, &c. was read, and, with the Amendments proposed by the Upper House, passed for Ingrossing.

Dr. Carroll, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act regulating the Interest upon Tobacco and Money, and Damages on protested Bills of Exchange, which was read the first Time, and ordered to lie on the Table.

The Bill entituled, An Act to prohibit the raising of Swine, &c. was read, with the Amendments proposed by the Upper House, which Amendments this House doth not agree to.

Mr. Harris, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to oblige the Sheriffs and Goalers of this Province to keep their Prisoners in the respective County Goals or Prisons; and a Bill entituled, An Act to take off the Allowance for killing Wolves in Frederick County: Which Bills were severally read the first Time, and ordered to lie on the Table.

Mr. Bordley, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act impowering the Justices of Baltimore County Court to assess and levy a Sum in current Money, and for other Purposes therein mentioned; which was read the first Time, and ordered to lie on the Table.

Col. King, from the Committee appointed to tax the Fees and Charges on the Petition from the North Side of Elk River, in Cæcil County, delivers to Mr. Speaker the following Report:

In Obedience to an Order of the House of Delegates, we have proceeded to tax the several Fees and Charges following, as due to the Officers of the House, and others, on the Petition from the North Side of Elk River, in Cæcil County; that is to say,

To the Clerk, for 22 Summons's, on Behalf of the Petitioners, at 3 s. —— —— —— ——	3 06 0	L. H. J. Liber No. 46 June 15
To Ditto for 15 Ditto, on Behalf of the Sheriff, at 3 s.	2 05 0	
To the Serjeant, for serving 18 Summons's, at 3 s. ——	2 14 0	
To the Hire of a Messenger to Cæcil County, ——	1 00 0	
To a Summons for Mr. James Tilghman, —— ——	0 03 0	
To a Messenger to execute the same, —— ——	2 16 0	
To James Harrison, a Witness for the Petitioners, 2 Days Attendance and itinerant Charges, —— ——	2 04 0	
To James Tilghman, 2 Days Attendance, and 6 Days itinerant Charges, —— —— —— ——	1 16 0	
To Wm. Hitchman, a Witness for the Petitioners, 2 Days Attendance and itinerant Charges, —— ——	2 04 0	
To David Hampton, Ditto, —— —— ——	2 04 0	
To Henry Hara, a Witness for the Petitioners, 2 Days Attendance and itinerant Charges, —— ——	2 04 0	
To Robert Cummings, Ditto, —— —— ——	2 04 0	
To Thomas Colvill, Ditto, —— —— ——	2 04 0	
To Benjamin Bradford, a Witness for the Sheriff, 2 Days Attendance and itinerant Charges, ——	2 04 0	
To William Gaunt, Ditto, —— —— ——	2 04 0	
To John Altham, Ditto, —— —— ——	2 04 0	
To James Veasy, Ditto, —— —— ——	2 04 0	
To Zebulon Hollingsworth, Ditto, —— ——	2 04 0	
To John Hicks, Ditto, —— —— —— ——	2 04 0	
To Hugul Gildart, Ditto, —— —— ——	2 04 0	
To Michael Lun, Ditto, —— —— ——	2 04 0	
To Andrew Bany, Ditto, —— —— ——	2 04 0	
	£. 47 00 0	

All which is submitted to the Consideration of the House.

R. King.
Mat. Harris,
Turnor Wootton.

The House concurs with the said Report. p. 862

Ordered, That Mr. Michael Earle, Sheriff of Cæcil County, do pay the Fees and Charges to the several Persons mentioned in the said Report, as they are taxed by the Committee, for that Purpose especially appointed.

Mr. Nicholas Goldsborough, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to prevent Persons holding Offices and Places of Profit and Trust, from serving in Assembly; which was read the first Time, and ordered to lie on the Table.

Mr. Robert Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to impower the Justices of Queen

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Anne's County Court, to sell the Materials of the old Prison of that County, and the Produce thereof to apply as therein directed; which was read the first Time, and ordered to lie on the Table.

On motion for Leave to bring in a Bill, to take off the corporal Punishment inflicted on Females having base-born Children; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 16

Friday Morning, June 16, 1749.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

On reading the second Time the Bill entituled, An Act to prevent Persons holding Offices and Places of Profit and Trust, from serving in Assembly; the Question was put, Whether the said Bill shall pass, or not? Resolved in the Affirmative.

For the Affirmative,

Mr Carroll,	Mr N. Goldsborough,	Mr Hopper,
Worthington,	J. Goldsborough,	Davis,
Bordley,	Robert Lloyd,	Robins,
J. J. Mackall,	Lecompte,	Selby,
Bond,	Buchanan,	Scarborough,
Smallwood,	Wootton,	Crabb,
Stoddert,	Addison,	Owen,
Lee,	Sprigg,	Chaplain,
Wilson,	Murdock,	Prather.
King,	Gordon,	
Waggaman,	Tilghman,	

For the Negative,

Mr Smith,	Mr R. J. Henry,	Mr Travers,
Richard Lloyd,	Handy,	Sheredine,
Harris,	Oldham,	Dulany,
Wilmer,	Sulivane,	Wilkinson,
Heighe,	Hooper,	J. Henry.

Which Bill was Indorsed "Read the second Time and will pass," and was sent to the Upper House by Capt. Waggaman and Mr. Lecompte.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Petition of sundry the Inhabitants of Upper-Marlborough Town in Prince George's County; and a Remonstrance of the Visitors of Kent County School; severally Indorsed, "Referred to the Consideration of the Lower House."

The Petition of the Inhabitants of Upper-Marlborough Town in Prince George's County, praying a Supplementary Law to the Act impowering Commissioners for laying out the said Town, was read and granted. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. L. H. J. Liber No. 46 June 16

The Bill entituled, An Act impowering the Justices of Baltimore County Court, to assess and levy a Sum in current Money, &c. was read the second Time and will pass, and was sent to the Upper House by Dr. Buchanan and Major Sheredine.

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker a Bill entituled, An Act for the further Regulation of Proceedings on Attachments, Indorsed, "By the Upper House, read the second Time, and will pass." Which Bill was read here the first Time, and ordered to lie on the Table. p. 863

On motion, the Question was put, Whether Leave be given to bring in a Bill to continue the Act entituled, An Act for raising Three Pence Sterling per Hogshead on all Tobacco to be exported, for purchasing Arms and Ammunition, and for an immediate Supply of Arms, for the Defence of this Province; or not? Resolved in the Negative.

For the Negative,

Mr Smith,	Mr Lee,	Mr Wootton,
Richard Lloyd,	Wilson,	Addison,
Harris,	Handy,	Sprigg,
Wilmer,	Waggaman,	Murdock,
Carroll,	N. Goldsborough,	Tilghman,
Worthington,	J. Goldsborough,	Hopper,
Bordley,	Robert Lloyd,	Wilkinson,
J. J. Mackall,	Oldham,	Davis,
Heighe,	Lecompte,	Crabb,
B. Mackall,	Travers,	Chaplain,
Bond,	Sheredine,	Owen,
Smallwood,	Buchanan,	Prather.
Stoddert,	Paca,	

For the Affirmative,

Mr King,	Mr Gordon,	Mr Scarborough,
R. J. Henry,	Dulany,	J. Henry.
Sulivane,	Robins,	
Hooper,	Selby,	

On motion, the Question was put, Whether Leave be given to bring in a Bill to continue the Act entituled, An Act for raising a Duty of Three Halfpence Sterling per Hogshead on all Tobacco

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exported out of this Province, for the Use of the Governor; or not? Resolved in the Negative.

For the Negative,

Mr Richard Lloyd,	Mr Lee,	Mr Sheredine,
Wilmer,	Wilson,	Murdock,
Carroll,	Waggaman,	Tilghman,
Worthington,	N. Goldsborough,	Hopper,
Bordley,	J. Goldsborough,	Wilkinson,
J. J. Mackall,	Robert Lloyd,	Davis,
Heighe,	Oldham,	Crabb,
B. Mackall,	Buchanan,	Chaplain,
Bond	Paca,	Owen,
Smallwood	Wootton,	Prather.
Stoddert,	Addison,	

For the Affirmative,

Mr Smith,	Mr Hooper,	Mr Dulany,
Harris,	Lecompte,	Robins,
King,	Travers,	Selby,
R. J. Henry,	Sprigg,	Scarborough,
Sulivane,	Gordon,	J. Henry.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment, &c.

On reading the Report from the Committee of Grievances, relating to the Receiver of the Quit Rents of Baltimore County; Ordered, That Mr. William Young, Receiver of the Quit Rents for Baltimore County, do attend at the Bar of this House on Tuesday next, to answer the Complaint set forth in the Report from the Committee of Grievances; and that the Clerk of this House do issue out a Summons for the said Young to appear accordingly.

Mr. Harris, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the more effectual destroying
p. 864 of Squirrels and Crows, in the Counties of Kent, Queen Anne's, and Talbot; and for destroying red Foxes in the said Counties: Which Bill was read the first Time, and ordered to lie on the Table.

Mr. Goldsborough, from the Committee of Grievances, delivers Mr. Speaker the following Report:

By the Committee of Grievances and Courts of Justice,
June 16, 1749.

Your Committee are informed, that the Agent and Receiver of his Lordship's Quit Rents do take upon them to set a Value on all

foreign Gold, below that current in Great Britain, and do refuse to take or receive the same in Discharge of the Rents due from his Lordship's Tenants in this Province, unless paid at such under Rate, and often vary and change such Value: That many of the good People, his Majesty's liege Subjects of this Province, his Lordship's Tenants, are compelled to pay the same accordingly; it being impracticable for them to procure the Sterling coin'd Money of Great Britain, to discharge their Rents. Which Actings and Doings are not only against the just Rights of his Majesty's Subjects here, but are oppressive, and tend to alienate the Affections of these faithful Subjects from his Lordship's Rule and Government. But is humbly submitted to the Consideration of your Honourable House. L. H. J. Liber No. 46 June 16

Signed per Order, Wm. Wilkins, Clerk.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the further altering and establishing certain Warehouses, and for other Purposes therein mentioned; which was read the first Time, and ordered to lie on the Table.

On motion that a Bill be brought in, to apply the one Pound of Tobacco per Poll, levied and assessed by the Governor and Council in the Year 1744, and collected by the several Sheriffs of this Province; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Dr. Carroll delivers to Mr. Speaker the following Account:

	Dr. The Public of Maryland.		
1747, June.	To Jonas Green, for Paper, ——	1 05	0
	To James Johnson, for Paper, ——	7 16	0
	To Henry Hall, for Ditto, ——	2 00	0
1748, May 15.	To Mr. Nicholas Maccubbin, for Ditto,	0 14	0
	To Paper delivered to the Clerk,	0 05	0
		£. 12 00	0
	Per Contra, Cr.		
1747, June 17.	By an Order on Charles Hammond, Treasurer of the Western Shore, payable to C. Carroll and Geo. Buchanan, —— ——	10 0	0
1748,	By Received in the Public of Mr. Hammond, —— ——	2 0	0
		£. 12 0	0

Errors excepted, C. Carroll,
Geo. Buchanan.

Which was read and approved. p. 865

The House adjourns until Tomorrow Morning at 9 of the Clock.

L. H. J.
Liber No. 46
June 17

Saturday Morning, June 17, 1749.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

On motion that a Bill be brought in, to limit a Time for bringing in the Bills of Credit of the Old Tenor, and to prevent their future Circulation; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in, to raise a Duty of three Halfpence Sterling on every Hogshead of Tobacco exported out of this Province, to be applied to the Use of the County Schools; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Ordered, That Col. Sprigg, Mr. Tilghman, and Mr. Robert Lloyd, do make Extracts from the Lord Proprietary's Grants in the Land-Office, and report the same to the House.

Col. Sprigg, from the Committee of Elections and Privileges, delivers to Mr. Speaker the following Report:

By the Committee of Elections and Privileges, June 17, 1749.

Your Committee take Leave further to report to your Honourable House, That they are credibly informed, and have too much Reason to believe, that in several of the Counties of this Province, it has of late been very much the Practice of those who offer themselves to the People as Candidates in approaching Elections, for the Honourable Trust of Representatives in Assembly, not only at the immediate Time of such Elections, but for a long Time before, both by themselves and their Agents, to give uncommon Entertainments, and great Quantities of strong and spirituous Liquors, to the Electors of such Counties; thereby engaging the Promises of the weaker Sort of the said Electors to vote for them at such Elections: Which Engagements (tho' by sober Reflection convinced of the Folly, Imprudence, and ill Consequences of them) being publicly made, they want Resolution to break.

This practice, if not prevented for the future, your Committee humbly conceive, must tend to the destruction of the Health, Strength, Peace, and Quiet, and highly contribute to the Corruption of the Morals of his majesty's loyal Subjects, and his Lordship's faithful Tenants, within this Province, to the stirring up and promoting Envy, Strife, and Contention, amongst Friends and Neighbours, and to the creating and fomenting Parties and Divisions, which must always be a Disadvantage both public and private; except to those few, the success of whose pernicious Schemes may in great Measure depend upon the fomenting and keeping up such

Parties and Divisions, and hindering an Union of Interests and Councils, the only sure Preservative of the common Good; and must be of the greatest ill Consequence, by encouraging the labouring Part of his Lordship's Tenants to idle away that Time at such Entertainments, and waste and exhaust that Spirit and Vigour with such strong and spirituous Liquors, which ought to be spent for the Benefit of themselves and their Families in particular, and employed for the Advantage of Society in general: But the Ways and Means for preventing these impending Dangers, and for eradicating these spreading Evils, which if suffered any longer to grow and spread, may in Time have a great Tendency to destroy the Freedom and Independance of the most valuable Branch of our Constitution, is humbly submitted to the mature Consideration and wise Determination of your Honourable House. L. H. J. Liber No. 46 June 17

Signed per Order, Tho. Harwood, junior, Cl. Com.

On reading the said Report, the House concurs therewith. p. 866

George Plater, Esq; from the Upper House, delivers to Mr. Speaker a Petition of Mordecai Booth, of the Colony of Virginia, Merchant, on Behalf of himself and his Partner William Westwood, praying a Drawback of the Duties paid, or secured to be paid, on forty Negroes, imported into this Province; which were afterwards exported within the Time limited by Act of Assembly: Indorsed, "Referred by the Upper House to the Consideration of the Lower House."

On motion that a Bill be brought in, to prevent the Inhabitants of Virginia and Pennsylvania from hunting in the Back Woods; Leave is given. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Mr. Robert Lloyd, from the Committee appointed to make Extracts from the Land-Office, &c. delivers to Mr. Speaker the following Report; viz.

By the Committee appointed to make Extracts out of the Land-Office, from the Lord Proprietary's Grants.

Your Committee having examined sundry Grants made at different Periods, from the Year 1636 to the Year 1746, do find the Rent reserved to the Proprietary to be expressed in the following Manner:

1st, In a Grant to John Lewger, dated the 5th of December, 1636, for 300 Acres, 'tis thus expressed: He yielding and paying six Shillings in Money Sterling, or the Commodities of the Country, at the Feast of the Nativity of our Lord.

2dly, In a Grant made the 10th of November, 1654, to Robert Cole, for 100 Acres, 'tis said; Under the usual Rent of two Shillings Sterling for the said 100 Acres.

L. H. J. Liber No. 46 June 17

3dly, In a Grant made the 3d of August, 1658, to John Norwood, for 200 Acres, 'tis expressed as follows: Yielding and paying therefore yearly unto us and our Heirs, at our usual Receipt at St. Mary's, at the two most usual Feasts in the Year, viz. at the Feast of the Annunciation of our blessed Virgin Mary, and at the Feast of St. Michael the Archangel, by even and equal Portions, the Rent of four Shillings Sterling in Silver or Gold, or the full Value thereof in such Commodities as we and our Heirs, or such Officer or Officers appointed by us or our Heirs from time to time to collect and receive the same, shall accept in Discharge thereof, at the Choice of us and our Heirs, or such Officer or Officers.

4thly, A Grant to Robert Wilson for 300 Acres of Land, dated 10th of July, 1671; wherein it is mentioned, to be paid at the Feasts aforesaid, by even and equal Portions, the Rent of twelve Shillings Sterling, in Silver or Gold; and for a Fine upon every Alienation, one whole Years Rent in Silver or Gold; or the full Value thereof, in such Commodities as we or our Heirs, or such Officers appointed by us, shall accept in Discharge thereof.

5thly, A Grant to Benjamin Hammond, for 100 Acres, dated the 2d of February, 1738, At the Rent of ten Shillings Sterling in Silver or Gold, or the full Value thereof, at the Choice of us and our Heirs, or Officer or Officers: Provided also, that if the said Benjamin Hammond shall neglect or refuse to pay the Rent reserved, by the Space of ten Days after it shall become due, and be requested by the Receiver, or other Person who shall be appointed to receive it; then and in such Case the Grant to be absolutely void.

p. 867 6thly, A Grant to Caleb Dorsey for 50 Acres, dated the 18th of March, 1746; To pay at the two most usual Feasts, the Rent of two Shillings Sterling in Silver or Gold, or the full Value thereof in such Commodities as we and our Heirs, from time to time to collect and receive the same, shall accept in Discharge thereof, at the Choice of us and our Heirs, or such Officer or Officers as shall be appointed by us.

All which is submitted to the Consideration of this Honourable House.

Robert Lloyd,
Edward Sprigg.

Mr. Smith hath Leave of the House to go home.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to oblige Owners, Overseers, and Managers, of Iron-Works, to assist in repairing public Roads; and

A Bill entituled, An Act impowering the Justices of Prince George's and Charles Counties, to levy on the taxable Inhabitants of King George's Parish, in said Counties, the Sum of 150 l. current Money, for the Uses therein mentioned: L. H. J. Liber No. 46 June 17

Which Bills were severally read the first Time, and ordered to lie on the Table.

Mr. Harris, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for raising a Duty of three Halfpence Sterling per Hogshead on all Tobacco exported out of this Province, for the Use of the several and respective County Schools: Which Bill was read the first Time, and ordered to lie on the Table.

The House adjourns until Monday Morning at 9 of the Clock.

Monday Morning, June 19, 1749. June 19

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. Smith and Mr. John Goldsborough. The Proceedings of Saturday were read.

Capt. Lux appeared in the House.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to oblige the bringing in all the outstanding Bills of Credit of the first Emission; which was read the first Time, and ordered to lie on the Table.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the building a Chapel of Ease in the upper Part of Stepney Parish, in Worcester County; and to impower the raising and levying of Money for that Purpose; which was read the first Time, and ordered to lie on the Table.

Col. King, from the Committee appointed to settle a Division of Stepney Parish, in Somerset County, delivers to Mr. Speaker the following Report; viz.

In Obedience to an Order of your House for dividing Stepney Parish, in Somerset County, your Committee reports as follows:

That if the fourth Side of Wicomico River and Creek, to the Head thereof, be taken into Somerset Parish as prayed; then your Committee humbly recommend the Division of Stepney Parish to begin at the Mouth of Barren Creek, thence running with the said Creek and Branch to Venable's Saw mill, thence along the main Road to Spring Hill Chapel, leaving the said Chapel to the northward of the said Line, thence along the said Road and bounded thereby to the late John Cadwell's Saw mill, thence up the main Stream of that Branch by Robinson Lingo's that now is, thence along the Bridle Path now in Use, which leads to Snow hill Town as far as Stepney Parish extends; all on the uppermost Side of said p. 868

L. H. J. Liber No. 46 June 19

Creek, Road, and Branch, to be the new Parish, and now to be called But if the Prayer of Somerset Parish, for that Part of Stepney lying on the south Side of Wicomico River and Creek as aforesaid, should not take Effect; then your Committee humbly recommend the Division of said Parish to begin at the Mouth of Ruastico Creek, then with the said Creek and main Branch until it intersects the main Road that leads to Broad Creek and the Upper Ferry of Wicomico River; thence along the main Road, and bounded thereby, to the late John Cadwell's Saw-mill, thence up the main Stream of said Branch to Robinson Lingo's, thence along the Bridle Path now in Use that leads to Snow hill Town as far as Stepney Parish extends, all on the uppermost Side of said Creek, Roads, and Branches to be the new Parish; and all the Lands that lie on the lowermost Side of said Creek, Roads, and Branches, to be and remain Stepney Parish.

All which is humbly submitted to the Consideration of your House.

Robert King, Robert Jenckins Henry,
John Selby, J. Waggaman,
John Scarborough, Tho. Robins,
John Henry.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for taking off corporal Punishment inflicted on Females having base-born Children; which was read the first Time, and ordered to lie on the Table.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry Inhabitants of Calvert County, praying to have Leonard's Town, in the said County, laid out anew; Indorsed, "By the Upper House, referred to the Consideration of the Lower:" Which was here read, and referred to the Consideration of next Assembly.

The Bill entituled, An Act for the speedy and effectual Publication of the Laws of this Province, &c. was read the second Time and will pass, and was sent to the Upper House by Mr. Dulany and Mr. Heighe.

The Bill entituled, An Act to impower the Justices of Queen Anne's County Court to sell the Materials of the old Prison of that County, and the Produce thereof to apply as therein directed, was read the second time, and will pass; and was sent to the Upper House by Capt. Hopper and Mr. Davis.

The Bill entituled, An Act impowering the Justices of Prince George's and Charles Counties, &c. was referred to the Consideration of next Assembly. L. H. J. Liber No. 46 June 19

The House adjourns until Tomorrow Morning at 9 of the Clock.

Tuesday Morning, June 20, 1749. June 20

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

On reading the Bill entituled, An Act regulating the Interest upon Tobacco and Money, and Damages on protested Bills of Exchange; the Question was put, Whether the Clause shall stand in the said Bill, which affects former Contracts; or not? Resolved in the Affirmative. p. 869

For the Affirmative,

Mr Carroll,	Mr Handy,	Mr Addison,
Worthington,	N. Goldsborough,	Sprigg,
Bordley,	Oldham,	Gordon,
J. J. Mackall,	Sulivane,	Hopper,
Heighe,	Hooper,	Wilkinson,
B. Mackall,	Lecompte,	Davis,
Bond,	Travers,	Owen,
Smallwood,	Buchanan,	Prather.
Stoddert,	Paca,	
Wilson,	Lux,	

For the Negative,

Mr Richard Lloyd,	Mr Robert Lloyd,	Mr Selby,
Harris,	Wootton,	Scarborough,
Wilmer,	Murdock,	J. Henry,
Lee,	Dulany,	Crabb,
King,	Tilghman,	Chaplain.
R. J. Henry,	Robins,	

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the Tryal of all Matters of Fact, &c. and the Bill entituled, An Act to prevent Persons holding Places, &c. severally Indorsed, "By the Upper House of Assembly, read the second Time, and will not pass."

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the speedy and effectual Publication of the Laws, &c. The Bill entituled, An Act to impower the Justices of Queen Anne's County Court to sell the Materials of

L. H. J. Liber No. 46 June 20

the old Prison, &c. And the Bill entituled, An Act impowering the Justices of Baltimore County Court to assess and levy a Sum of current Money, &c. Severally Indorsed, "By the Upper House of Assembly, read the second Time and will pass." Which Bills were severally read here, and passed for Ingrossing.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

The Bill entituled, An Act regulating the Interest upon Tobacco, &c.

The Bill entituled, An Act to oblige the Sheriffs of this Province to keep their Prisoners in the respective County Goals, &c.

And the Bill entituled, An Act to oblige Owners, Overseers, and Managers of Iron Works, &c.

Were severally read the second Time, and will pass; and were sent to the Upper House by Capt. Paca and Capt. Lux.

The Bill entituled, An Act to take off the Allowance for killing Wolves in Frederick County, was read the second Time and passed; and was sent to the Upper House by Capt. Crabb and Mr. Chaplin.

The Bill entituled, An Act to oblige the bringing in all the outstanding Bills of Credit, &c. was read the second Time, and passed; and was sent to the Upper House by Mr. Stoddert and Mr. Waggaman.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker a Petition of Mr. Daniel Carroll, of Upper-Marlborough, praying that the Supplementary Bill to the Act for laying out anew Upper-Marlborough Town, in Prince George's County, may not pass: Which Petition was Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House:" And being here read, was referred for Consideration on the second Reading of the said Bill.

p. 870 The Bill entituled, An Act for taking off corporal Punishment inflicted on Females, &c. was read the second Time, and passed; and was sent to the Upper House by Mr. Harris and Capt. Lee.

The Bill entituled, An Act for the more effectual destroying Squirrels and Crows in the Counties of Kent, &c. was read the second Time, and passed, and was sent to the Upper House by Mr. Richard Lloyd, and Mr. Wilkinson.

A Bill entituled, A Supplementary Act to an Act entituled, An Act for laying out the Town anew commonly called Upper-Marlborough Town, in Prince George's County, was read the first Time, and ordered to lie on the Table.

A Bill entituled, An Act for dividing Part of Stepney Parish lying in Somerset County, and for adding such Part, when so divided, to Somerset Parish in said County; was read the first Time, and ordered to lie on the Table. L. H. J. Liber No. 46 June 20

The House adjourns until Tomorrow Morning at 9 of the Clock.

Wednesday Morning, June 21, 1749. June 21

The House met according to Adjournment: The Members were called, and all appeared as yesterday except Col. Hooper. The Proceedings of yesterday were read.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act directing the former Sheriffs of the several Counties within this Province, to account with the Justices of the several County Courts, for the Tobacco therein mentioned; which was read the first Time, and ordered to lie on the Table.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to prevent Non-Residents from hunting within this Province; which Bill was read the first Time, and ordered to lie on the Table.

On reading a second Time the Bill entituled, An Act for raising a Duty of three Halfpence Sterling upon all Tobacco exported out of this Province, for the Use of the several and respective County Schools; the Question was put, Whether the said Bill be rejected, or Not? Resolved in the Affirmative.

For the Affirmative,

Mr Carroll,	Mr Handy,	Mr Tilghman,
Worthington,	Waggaman,	Hopper,
Bordley,	N. Goldsborough,	Wilkinson,
J. J. Mackall,	Oldham,	Davis,
Heighe,	Sulivane,	Robins,
B. Mackall,	Lecompte,	Selby,
Bond,	Travers,	Scarborough,
Smallwood,	Buchanan,	J. Henry,
Stoddert,	Paca,	Crabb,
Lee,	Addison,	Chaplain,
Wilson,	Murdock,	Owen,
King,	Gordon,	Prather.
R. J. Henry,	Dulany,	

For the Negative,

Mr Richard Lloyd,	Mr Wilmer,	Mr Wootton,
Harris,	Lux,	Sprigg.

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The Bill entituled, An Act for the building a Chapel of Ease in the upper Part of Stepney Parish, in Worcester County; and to impower the raising and levying a Quantity of Tobacco for that Purpose; was read the second Time, and passed:

The Bill entituled, An Act for dividing Part of Stepney Parish lying in Somerset County, and for adding such Part, when so divided, to Somerset Parish in said County; was read the second Time, and passed:

Which Bills were sent to the Upper House by Col. Robert Jenckins Henry and Col. Scarborough.

Col. John Henry delivers to Mr. Speaker the following Report; viz.

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July 1, 1748.

In Pursuance of an Order of both Houses of Assembly, bearing Date at the City of Annapolis, the 14th Day of May last past, met at the main Branch of Nanticoke River, called the North-East Branch, Bartholomew Ennalls, Isaac Nicholls, John Henry, John Scarborough, Benjamin Handy, George Dashiel, named in the said Order; who were authorized, impowered, and appointed to settle the Bounds between Dorchester and Worcester Counties; and they having considered and enquired into the Premises, from the Inhabitants living adjacent thereto, They determine the Branch running up to the Widow Ownis, lately the Wife of William Ownis, and from thence up the main Branch between John Merriott and Edward Burris, to be the Division between the two Counties of Dorchester and Worcester, as aforesaid. All which we humbly certify to the Honourable Houses of Assembly for their Approbation and Confirmation: In Testimony of which we have put our Hands, the Day and Year aforesaid.

B. Ennalls,	John Scarborough,
Isaac Nicolls,	Benja. Handy,
J. Henry,	Geo. Dashiel.

Which was read, and referred for Consideration the next Session of Assembly.

Mr. Goldsborough, from the Committee appointed to enquire into the Allegations and Matters contained in the Petition of Jacob Holland, Richard Gott, and Richard Holland, delivers to Mr. Speaker the following Report; viz.

By the Committee appointed by the Honourable the Lower House of Assembly, to enquire into the Allegations and Matters contained in the Petition of Jacob Holland, Richard Gott, and Richard Holland, June 21, 1749.

Your Committee, upon Enquiry into the several Matters set forth in the Petition aforesaid, do find the Patent of Holland's Choice, containing 580 Acres, dated the 12th of May, 1679, and lying in

Baltimore County, originally granted to Anthony Holland; who, by his last Will and Testament, devised the same to six of his Children in manner following; to wit, To Thomas, Richard, Elizabeth, Jacob, and Capell, and to their Heirs for ever, 100 Acres each, Part of the said Tract; and to his Daughter Susanna, and her Heirs for ever, 80 Acres, the remaining Part of the same; as appears by the said Will, a Clause whereof is as follows: "That it is my Will and Desire, in case it should happen any of my six Children; viz. Thomas, Richard, Elizabeth, Jacob, Capell, and Susanna, should die and depart this Life without lawful Issue begotten or to be begotten, then in such case my Will and Desire is, that the Part belonging to such Child so deceased, be divided among the remaining of my six Children immediately aforenamed, and their Heirs for ever." And we likewise find, that Richard Holland, one of the Devisees aforementioned, died without Issue; whereby the Petitioners became intitled to 120 Acres. L. H. J. Liber No. 46 June 21

We find the Patent of Buck's Contrivance, dated the 19th of November, 1742, containing 117 Acres, lying in Anne Arundel County, granted to Jacob Holland, one of your Petitioners, and now in his Possession.

We also find the Patent of the Addition to Gott's Hope, containing 100 Acres, bearing Date the 17th Day of July, 1730, lying in Baltimore County, granted to Richard Gott, another of the Petitioners; and likewise in his Possession.

And we likewise find the Patent of Jericho, as set forth in the Petition, containing 895 Acres, dated the 13th of December, 1697, lying in Prince George's County, granted to Samuel Waters; out of which a Deed (duly examined and recorded) to a certain Thomas Holland, for 187 Acres, who died intestate; whereby Richard Holland, one of the Petitioners, and eldest Son and Heir to the said Thomas Holland, holds the Land aforesaid; 120 Acres, Part of the said 187 Acres, he prays may be settled and entailed generally, according to the will of the said Anthony Holland. p. 872

And your Committee humbly represent to your Honourable House, that the Lands proposed in the Petition to be entailed in lieu of the 360 Acres, Part of Holland's Choice, by the Information we have had, are of equal Value.

All which is humbly submitted to the Consideration of your Honourable House.

Signed per N. Goldsborough,
John Stoddert,
John Henry.

The House concurs with the said Report.

The Petition of Jacob Holland and others was read, and Leave given to bring in a Bill according to Prayer.

The House adjourns until 2 of the Clock.

L. H. J.
Liber No. 46
June 21

Post Meridiem.

The House met according to Adjournment.

Mr. John Goldsborough appeared in the House.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act regulating the Interest upon Tobacco, &c. Indorsed, By the Upper House of Assembly, read the second Time, and will not pass:"

The Bill entituled, An Act to oblige the Sheriffs of this Province to keep their Prisoners, &c. Indorsed, "By the Upper House of Assembly, read the second Time, and will pass, with the following Amendments: Instead of the Title, put these Words; An Act to repair the Prisons of Somerset and Charles Counties: Leave out the first 15 Lines in the Bill, and the Word And in the 16th Line."

And the Bill entituled, An Act to take off the Allowance for killing Wolves in Frederick County, Indorsed, "By the Upper House of Assembly, Read the second Time, and will pass, with the following Amendments: After the Word Wolves, in the 1st Line of the 2d Page, put was or; and in the 3d Line, after the Word Wolves, put was or; leave out the Clause after the Word Indian, in the 3d Line of the same Page; to the Word Notwithstanding."

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker a Petition of Solomon Long, Administrator of Woney M'Clemey, and others; Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly."

Which Petition was here read; and Ordered, that Capt. Lux, Mr. Sulivane, and Mr. Dulany, be a Committee to enquire into the Allegations therein contained, and report the same to the House.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen Anne's, and Talbot, &c. Indorsed, "By the Upper House of Assembly, read the
p. 873 second Time, and will pass." Which Bill was here read, and passed for Ingrossing.

The Bill entituled, An Act directing the former Sheriffs of the several Counties, &c. was read the second Time and passed, and was sent to the Upper House by Capt. Handy and Mr. Sulivane.

The Bill entituled, A Supplementary Act to an Act entituled, An Act for laying out the Town anew, commonly called Upper-Marlborough Town, &c. was read, and referred for Consideration the next Session of Assembly.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to oblige the bringing in all the outstanding Bills of Credit, &c. Indorsed, "By the Upper House of Assembly, read the second Time, and will not pass."

The House adjourns until 2 of the Clock. [Sic]

Post Meridiem. [Sic]

L. H. J.
Liber No. 46
June 21

The House met according to Adjournment.

The Bill entituled, An Act for further altering and establishing certain Warehouses, &c. was read the second Time, and passed; and sent to the Upper House by Capt. Tilghman and Mr. John Goldsborough.

The Bill entituled, An Act for the further Regulation of Proceedings on Attachments, was read the second Time, and will not pass.

The Bill entituled, An Act to prevent Non-Residents from hunting within this Province, was read the second Time and passed.

On reading the Amendments proposed by the Upper House to the Bill entituled, An Act to oblige the Sheriffs of this Province to keep their Prisoners, &c. this House would not agree therewith.

The Bill entituled, An Act to take off the Allowance for killing Wolves in Frederick County, was read with the Amendments proposed by the Upper House, and passed for Ingrossing.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Thursday Morning, June 22, 1749.

June 22

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

The Bill entituled, An Act for the further regulating of Proceedings on Attachments, was sent to the Upper House by Mr. Harris and Capt. Lee.

The Bill entituled, An Act to prevent Non-Residents, &c. was sent to the Upper House by Capt. Owen and Capt. Travers.

Capt. Lux, from the Committee appointed to enquire into the Facts contained in Solomon Long's and others their Petition, delivers to Mr. Speaker the following Report; viz.

By the Committee appointed by the Honourable the Lower House of Assembly, to enquire into the Truth of the Facts set forth in the Petition of Solomon Long, Administrator of a certain Woney M'Clemey, deceased, and Eleanor M'Clemey, Widow of the same Woney, and sundry other Persons, June 22, 1749.

Your Committee, upon Enquiry into the Facts aforesaid, do find, That the said Woney M'Clemey died possessed of a personal Estate to the Amount of 307 l. 12 s. 3 d. current Money; which Sum was fully accounted and paid to the legal Creditors of the said Woney, by Solomon Long, Administrator, as by an Account passed by the

p. 874

L. H. J. Liber No. 46 June 22

Deputy Commissary of Somerset County, the 19th of May, 1749, fully appears.

Your Committee further find, that the said Woney M'Clemey was and is still indebted unto sundry the Creditors signing the said Petition, and others, upon Bond and simple Contracts, the Sum of 226 l. 5 s. 2½ d. current Money, exclusive of Interest; which Bonds and Contracts appear to us legally proved.

And we also find a Bond of the said Woney's passed to Mr. Thomas Lambden, for 30 l. 5 s. Currency, Principal; which Bond does not appear to be proved: And that he died possessed of the three Tracts of Land, as mentioned in the Petition, amounting to 300 Acres.

All which is humbly submitted to the Consideration of your Honourable House.

Darby Lux,
Daniel Sulivane,
Walter Dulany,

The House concurs with the Report, and Leave is given to the Petitioners therein mentioned to bring in a Bill according to Prayer of the Petition.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for dividing Stepney Parish, in Somerset and Worcester Counties, and for erecting a Parish out of the same, called by the Name of Cumberland Parish; which was read the first and second Time by especial Order, and passed, and was sent to the Upper House by Capt. Handy and Major Selby.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, A Supplementary Act to an Act entituled, An Act for the Ease of the Inhabitants, in examining Evidences relating to the Bounds of Lands, and in the Manner of obtaining Injunctions; which was read the first and second Time by especial Order, passed, and was sent to the Upper House by Mr. Sulivane and Mr. Oldham.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to oblige Owners and Overseers of Iron-Works, &c. Indorsed, "By the Upper House of Assembly, read the second Time and will pass, with the following Amendments: Instead of the Word all in the 4th Line, between suffer and labouring, put one Labourer out of every ten: After the Word send in the 10th Line, put one tenth: And the Proviso to be left out."

Which Amendments were here read, and to which this House would not agree.

A Bill entituled, An Act for the cutting of the Entail of Part of a Tract of Land called Holland's Choice, lying in Anne Arundel County; to enable Jacob Holland to sell and convey the same in Fee Simple, and to entail other Lands in lieu thereof; was read the first and second Time by an especial Order, and passed, and was sent to the Upper House by Capt. Paca and Mr. B. Mackall. L. H. J. Liber No. 46 June 22

Col. Sprigg, from the Committee of Accounts, delivers to Mr. Speaker the Journal of Accounts; which was read, and the Question was put, Whether the Journal of Accounts be assented to, or Not? Resolved in the Affirmative.

For the Affirmative, p. 875

Mr Richard Lloyd,	Mr Handy,	Mr Sprigg,
Harris,	Waggaman,	Murdock,
Wilmer,	J. Goldsborough,	Gordon,
J. J. Mackall,	Robert Lloyd,	Dulany,
Heighe,	Sulivane,	Tilghman,
B. Mackall,	Lecompte,	Hopper,
Bond,	Travers,	Wilkinson,
Smallwood,	Sheredine,	Davis,
Stoddert,	Buchanan,	Robins,
Lee,	Paca,	Selby,
Wilson,	Lux,	Scarborough,
King,	Addison,	J. Henry.

For the Negative,

Mr Carroll,	Mr N. Goldsborough,	Mr Chaplain,
Worthington,	Wootton,	Owen,
Bordley,	Crabb,	Prather.

The Journal of Accounts was Indorsed, read, and assented to, and sent to the Upper House by Col. Sprigg and Dr. Buchanan.

The Bill entituled, An Act for the Relief of Persons accused and acquitted, and of Witnesses against Persons accused; was read the first and second Time by an especial Order, and passed, and was sent to the Upper House by Mr. Waggaman and Mr. Harris.

The House adjourns until Tomorrow Morning at 8 of the Clock.

Friday Morning, June 23, 1749. June 23

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

L. H. J. Liber No. 46 June 23

A Bill entituled, An Act impowering certain Persons to vend and dispose of Lands in Somerset County, whereof Woney M'Clemey died seised in Fee, for the Purposes therein mentioned; was read the first and second Time by especial Order, and passed, and sent to the Upper House by Col. Robert Henry and Capt. Handy.

An Ingrossed Bill entituled, An Act ascertaining the Allowance of Petit Jurors, &c. An Ingrossed Bill entituled, An Act repealing Part of an Act entituled, An Act to encourage the destroying of Wolves, &c. An Ingrossed Bill entituled, An Act to enable the Justices of Baltimore County Court, for the Time being, to assess and levy on the taxable Inhabitants of the said County a Quantity of Tobacco, &c. An Ingrossed Bill entituled, An Act impowering the Justices of Calvert County Court to assess &c. An Ingrossed Bill entituled, An Act impowering the Justices of Baltimore County Court to assess and levy a Sum in current Money, &c. An Ingrossed Bill entituled, An Act to take off the Allowance for killing Wolves in Frederick County: An Ingrossed Bill entituled, An Act for the speedy and effectual Publication of the Laws, &c. An Ingrossed Bill entituled, An Act for the more effectual destroying Squirrels and Crows in the Counties of Kent, &c. And an Ingrossed Bill entituled, An Act to impower the Justices of Queen Anne's County Court to sell, &c. Were severally read and assented to.

p. 876 Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for further altering and establishing certain Warehouses, &c. Indorsed, "By the Upper House of Assembly, read the second Time and will pass, with the following Amendments: After the Word do in the 2d Line of the 3d Page, to the End of the Page, to be left out. All the 11th Page to be left out, and to the Word aforesaid, in the 2d Line of the last Page.

On reading and considering the Report from the Committee of Grievances, relating to Mr. Young, Receiver of the Quit Rents in Baltimore County, for Distress made on a certain Jasper Hall, of the said County; the House concurs with the Report.

On reading the second Amendment to the Bill entituled, An Act for further altering and establishing certain Warehouses, and for other Purposes therein mentioned; the Question was put, Whether this House doth agree to the Amendment proposed by the Upper House, for leaving out of the Bill entituled, An Act for further altering, &c. such Part which relates to the Persons indebted for Officers Fees, &c. who make some Tobacco, but not sufficient to pay the whole, may pay such Part as they do make by the 10th Day of May yearly, to be divided proportionably amongst the Officers, &c. to whom they are indebted, and to pay the Residue in Money; or Not? Resolved in the Affirmative.

L. H. J. Liber No. 46 June 23

For the Affirmative,

Mr Richard Lloyd,	Mr Robert Lloyd,	Mr Dulany,
Wilmer,	Sheredine,	Tilghman,
Worthington,	Buchanan,	Hopper,
Heighe,	Paca,	Wilkinson,
Bond,	Lux,	Davis,
Smallwood,	Wootton,	Crabb,
Stoddert,	Addison,	Chaplain,
Lee,	Sprigg,	Owen,
Wilson,	Murdock,	Prather.
J. Goldsborough,	Gordon,	

For the Negative,

Mr Harris,	Mr R. J. Henry,	Mr Lecompte,
Carroll,	Handy,	Travers,
Bordley,	Waggaman,	Robins,
J. J. Mackall,	N. Goldsborough,	Selby,
B Mackall,	Oldham,	Scarborough,
King,	Sulivane,	J. Henry.

The said Bill was accordingly amended, and passed for Ingrossing.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act directing the former Sheriffs of the several Counties within this Province to account with the Justices, &c. Indorsed, " By the Upper House of Assembly, read the second Time and will pass, with the following Amendments: Leave out from the Word Whereas to the Word Province in the 5th Line, and insert the following Words; Whereas one Pound of Tobacco per Poll was assessed, in Pursuance of an Order of Council, hath been collected by the respective Sheriffs for the Time being, and still remains in their Hands unapplied. After the Word People in the 11th Line put these Words; a Deduction of one fourth Part of the whole, as in case of Debts; and also of six per Cent for the Collection, being first made to the Sheriff."

Col. Hammond, from the Upper House, delivers to Mr. Speaker p. 877 the Bill entituled, An Act for taking off corporal Punishment inflicted on Females, &c. Indorsed, " By the Upper House of Assembly, read the second Time and will pass; the Words Proof of being inserted after the Word for, in the 2d Line of the last Page." Which Bill was here read, and with the Amendments proposed passed for Ingrossing.

The Amendments proposed by the Upper House to the Bill directing the several Sheriffs, &c. to account with the Justices, &c. were here read, and to which this House would not agree.

L. H. J. Liber No. 46 June 23

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the Relief of Persons accused and acquitted, &c. Indorsed, " By the Upper House of Assembly, read the second Time and will pass. Which Bill was here read, and passed for Ingrossing.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for dividing Part of Stepney Parish, &c.

The Bill entituled, An Act for building a Chapel of Ease in the Upper Part of Stepney Parish, &c.

The Bill entituled, An Act for dividing Stepney Parish, lying in Somerset and Worcester Counties, &c.

And the Bill entituled, A Supplementary Act to the Act entituled, An Act for the Ease of the Inhabitants in examining Evidences, &c.

Severally Indorsed, " By the Upper House of Assembly, read the second Time and will not pass."

Benedict Calvert, Esq, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for cutting off the Entail of Part of a Tract of Land called Holland's Choice, &c. Indorsed, " By the Upper House of Assembly, read the second Time and will pass: " Which Bill was here read, and passed for Ingrossing.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

The several Ingrossed Bills read and assented to in the Morning, were sent to the Upper House, with the Paper Bills, by Col. Robert Jenckins Henry and Capt. Lee.

An Ingrossed Bill entituled, An Act for the Relief of Persons accused and acquitted, &c.

An Ingrossed Bill entituled, An Act for taking off corporal Punishment inflicted on Females, &c.

An Ingrossed Bill entituled, An Act for further altering and establishing certain Warehouses, and for other Purposes therein mentioned:

And an Ingrossed Bill entituled, An Act for cutting off the Entail of Part of a Tract of Land called Holland's Choice, &c.

Were severally read and assented to, and were sent to the Upper House, with the Paper Bills, by Mr. James John Mackall and Mr. Benjamin Mackall.

p. 878 Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the following Report:

We the Subscribers humbly certify, That by Virtue of the Order of both Houses of Assembly, we caused the Lines to be run between

that Part of Frederick County which was formerly included in Prince George's County, and Baltimore County next adjoining to the latter, as seemed most convenient for dividing the said Counties, in Manner following; viz. L. H. J. Liber No. 46 June 23

Beginning at a Spring called Parr's Spring, and running from thence North 35 Degrees East to a bounded White Oak, standing on the West Side of a Waggon Road called John Diggs's Road, about a Mile above a Place called the Burnt-House Wood; and running thence up the said Road to a bounded White Oak, standing on the East Side thereof, at the Head of a Draught of Sam's Creek; thence North 55 Deg. East to a Spanish Oak, standing on a Ridge near William Roberts's, and opposite to the Head of a Branch called the Beaver Dam; and running thence North 20 Deg. East to the temporary Line between the Provinces of Maryland and Pennsylvania, being near the Head of a Draught of Conowaugo, at a rocky Hill called Rattle-Snake Hill: And that we are of Opinion that it will be most convenient to the bordering Inhabitants, of Baltimore and Frederick Counties, that the said Lines be established as the Boundaries of and between both Counties; and that all the Lands on the East-South East Sides of the said Lines be deemed to be in Baltimore County, and all the Inhabitants therein to be Inhabitants and Residents of the said County; and that all the Lands on the West-North-West Sides, Part of Frederick County, and all the Inhabitants therein, Residents and Inhabitants of Frederick County.

All which is humbly submitted to the Wisdom of both Houses of Assembly.

Nath. Wickham,
Joseph Ogle,
John Dorsey, Jun.

[Thomas Beatty was probably a subscriber to this report; see "Votes and Proceeding Lower House, May, 1749, printed by Jonas Green, Annapolis, 1749, page 57.]

And a Petition of some of the Justices of Frederick County, praying a Bill to impower them to assess and levy on the taxable Inhabitants of the said County on additional Sum towards building a Court-House; and that the Sum of 500 l. be allowed by the Public, for building a Prison.

Severally Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly."

Which Report and Petition were here severally read, and referred to the Consideration of next Assembly.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act impowering certain Persons to vend and dispose of Lands in Somerset County, whereof Woney M'Clemey died seised, &c. Indorsed, "By the Upper House of Assembly, read the second Time by an especial Order, and will pass." Which Bill was read here, and passed for Ingrossing.

The Report from the Committee of Grievances, relating to the Agents and Receivers of his Lordship's Quit Rents taking upon them p. 879

L. H. J. Liber No. 46 June 23 to set a Value on all foreign Gold, below that of the current Value in Great-Britain; was read and referred to the Consideration of next Assembly.

The Petition of Araminta Macky, Widow, was referred to the Consideration of next Assembly.

The House adjourns until Tomorrow Morning at 8 of the Clock.

June 24 Saturday Morning, June 24, 1749.

The House met according to Adjournment: The Members were called, and all apppeared as yesterday The Proceedings of yesterday were read.

An Ingrossed Bill entituled, An Act impowering certain Persons to vend and dispose of Lands in Somerset County, &c. was read and assented to, and sent to the Upper House, with the Paper Bill, by Mr. Waggaman and Col. Scarborough.

Major Sheredine, from the Committee appointed to inspect the Office and Proceedings of the Commissioners of the Paper Currency, delivers to Mr. Speaker the following Report; viz. (See page 227)

p. 880 Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to prevent Non-Residents from hunting within this Province, &c. Indorsed, "By the Upper House of Assembly, read the second Time, and will pass with the following Amendments: Instead of the Words to be applied towards the County Charge where the Offence happens, in 3d and 4th Lines of 2d Page, put these Words, to the Use of the Lord Proprietary, for the Support of Government. After the Word half, in 7th Line of the last Page, put these Words, to the Use of the Lord Proprietary for the Support of Government, instead of to the Use of the Public
p. 881 School, in the County where such Offence shall be committed." Which Amendments were here read, and to which this House would not agree.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the several Paper Bills (the Ingrossed Bills of which were assented to by both Houses), severally Indorsed, "The Ingrossed Bill, whereof this is the Original, is read and assented to by the Upper House of Assembly."

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Journal of Accounts, and the following Message; viz. (See page 229)

Mr. Young, Receiver of the Quit Rents for Baltimore County, was called to the Bar of the House, and Mr. Speaker acquainted him with the following Resolve; viz.

Resolved, That the said William Young pay to the several Officers of this House, and other Persons, the Fees and other Charges attending the Complaint of Jasper Hall, viz. L. H. J. Liber No. 46 June 24

To 17 Days Attendance of said Hall, on his Complaint, at 5 s. per Day,	——	——	——	——	4 5 0
To 5 Days Ditto of Edward Norwood, as an Evidence,					1 5 0
To the Clerk of the Lower House of Assembly, for two Summons's, at 3 s.	——	——	——	——	0 6 0
To the Serjeant at Arms, for serving two Summons's,					0 6 0
To Cash paid the Serjeant, for sending to Baltimore County to serve a Summons,	——	——	——	——	1 0 0
					£. 7 2 0

Resolved, That Mr. Speaker, from the Chair, recommend to the said William Young that he make Restitution for the last Distress made upon the said Hall; inasmuch as it evidently appears that he was indebted to said Hall, at the Time of making the said Distress, in the Sum of Nine Pence Halfpenny Sterling.

And as such Proceedings against the People of this Province, his Majesty's Subjects, appears cruel and oppressive, against common Right and the Rules of Humanity, that he recommend to him to conduct himself for the future, in his Office, with Moderation and Justice; and in Regard the House is willing to hope such Proceedings have happened rather thro' Inadvertency; or his Want of a more exact Attention to the Duty of his Station he was in, than a fraudulent Design; he was discharged, on paying the Fees and Charges attending the Complaint, which the Clerk of the House will let him know. p. 882

Mr. Speaker accordingly acquainted Mr. Young with the Resolve of the House, and order'd him to withdraw.

The House proceeded to tax the Bill entituled, An Act for cutting off the Entail of Part of a Tract of Land called Holland's Choice, &c.

To the Honourable Speaker,	£. 2 0 0
To the Clerk,	1 0 0

The Bill entituled, An Act impowering certain Persons to vend and dispose of Lands in Somerset County, &c.

To the Honourable Speaker,	£. 2 0 0
To the Clerk,	1 0 0

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

The Proceedings of the Morning were read.

L. H. J. Liber No. 46 June 24

Ordered, That Col. King and Col. Sprigg do go and acquaint his Excellency, that no Business of Moment lies before this House.

George Plater and Benedict Calvert, Esquires, from the Upper House, acquaint Mr. Speaker, That the Governor requires the Attendance of the Lower House immediately in the Upper House, to see the Ingrossed Bills, which had been assented to and passed by both Houses this Session, receive his Assent.

Mr. Speaker left the Chair, and being attended with the Members of the Lower House, went to the Upper House, where he presented to his Excellency [the following Bills, see pages 230-231]

All which his Excellency passed into Laws in the usual Form.

After which his Excellency made the following Speech: (See page 231)

So endeth this Session of Assembly this 24th Day of June, in the 35th Year of his Lordship's Dominion, in the 23d Year of his Majesty's Reign, and in the Year of our Lord, 1749.

Test. M. Macnemara, Cl. Lo. Ho.

ACTS OF ASSEMBLY PASSED IN MAY AND JUNE, 1749

At a Session of Assembly Begun and held at the City of Annapolis the 24th Day of May in the thirty fifth Year of the Dominion of the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &ca. Anno Dom. 1749 and Ending the twenty fourth Day of June following. Liber B.L.C. p. 465

The following Laws were Enacted and assented to by his Excellency Samuel Ogle Esqr. Governor.

An Act enlarging the Time for receiving and paying the Public and County Levies, Parochial Charges, Clergy's Allowances, Attorneys and Officers Fees, for this present Year. No 1

Whereas, by an Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, It is amongst other Things Enacted, That all Public and County Levies, Parochial Charges, and Attorneys Fees, that shall be paid in Tobacco, shall be paid and satisfied, by the Persons chargeable with and indebted for the same, to the respective Sheriffs, by Inspectors Notes, before the tenth Day of June yearly, during the Continuance of the said recited Act; and if any Person chargeable with Levies, Parochial Charges, Clergys Allowances, and Fees, as aforesaid, should neglect or refuse to pay the same within the Time aforesaid, it should and might be lawful for the Sheriffs, immediately after the said tenth Day of June, to distrain the Goods and Chattels of the Person or Persons so neglecting and refusing, and to sell and dispose thereof at the Expiration of five Days after Distress made, for Tobacco. And whereas, that in several Counties within this Province, either for want of Warehouses, Inspectors, Weights or Scales, or through other Accidents, the People will not have it in their power to make the several Payments to the respective Sheriffs by the tenth Day of June next, pursuant to the Directions of the above recited Act. For Remedy whereof, [Preamble.]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Public and County Levies, Parochial Charges, and Attorneys Fees, that shall be paid in Tobacco, Clergy's Allowances, and all Officers Fees payable in Tobacco, may be paid and [Debts payable in Tobacco, not to be demanded 'til the 20th Day of July, 1749.]

Liber B.L.C. satisfied, by the Persons chargeable with and indebted for the same, to the respective Sheriffs, by Inspectors Notes, at or before the twentieth Day of July, for this present Year One thousand seven hundred forty and nine. And if any Person chargeable with Levies, Parochial Charges, Clergys Allowances, and Fees payable in Tobacco, be indebted as aforesaid, it shall not be lawful for the Sheriffs to distrain the Goods and Chattels, or execute the Body, of the Person or Persons so neglecting and refusing to pay the same, 'til after the said twentieth Day of July next, nor to sell or dispose of any Goods or Chattels so distrained, until the Expiration of five Days after such Distress shall be made; any Thing in the aforesaid recited Act to the contrary notwithstanding.

[Sheriffs to be allowed to the 20th of August for paying of creditors.]

And be it further Enacted by the Authority aforesaid, That the several and respective Sheriffs of the several and respective Counties within this Province, shall have Time until the twentieth Day of August, for this present Year, to pay and deliver to each Creditor, according to their respective Debts or Claims, all the Inspectors Notes that he or they shall receive, in Satisfaction thereof; any Thing in the above recited Act, or any Law, Usage, or Custom, to the contrary notwithstanding.

p. 466

[Attendance of Inspectors.]

And be it likewise Enacted by the Authority aforesaid, That all Inspectors appointed, or that shall be appointed, by Virtue of the said recited Act, shall constantly attend at the Warehouse or Warehouses under their Charge for this present Year, 'til the last Day of September next, except Sundays, in order to comply with and perform the several Services and Duties, required and enjoined by the said recited Act by them to be done and performed, by the last Day of August respectively; and afterwards they, or one of them, shall constantly attend at the same, except on Sundays, as aforesaid, to deliver out Tobacco for Exportation, 'til all the Tobacco remaining the said last Day of September aforesaid shall be so delivered.

[Penalty for Neglect.]

And every Inspector, neglecting to attend as aforesaid, shall forfeit and pay to the Party grieved seven Shillings and six Pence for every Neglect, or shall be liable to the Action upon the Case of the said Party grieved, to recover all such Damages, which he or they shall or may sustain by Occasion of any such Neglect, together with his other Costs, at the Election of the Party; any Thing in the said recited Act to the contrary notwithstanding.

June 1. 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo ho

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle

The Great Seal in wax appendant

1 June 1749
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl Up Ho.

An Act for ascertaining the Allowance of Petit Jurors attending the Provincial Court, to limit Costs with respect to Witnesses, and for settling their Allowance as to itinerant Charges. Liber B. L. C. No. 2

Whereas the Allowance heretofore made Petit Jurors attending the Provincial Court is so small, that the same is not sufficient to maintain such Jurymen during the Time of their Attendance: In order therefore, that a reasonable Provision may be made for such, it is humbly prayed that it may be Enacted; [Preamble.]

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this Session of Assembly, as often as any Person or Persons shall be summoned to attend as Petit Jurors, at the Provincial Court of this Province, there shall be allowed to every such Person, so summoned and attending the Provincial Court aforesaid, in lieu and stead of all or any Allowance or Allowances by any former Act or Acts of Assembly of this Province, the Quantity of forty-eight Pounds of Tobacco per Day, for every Day any such Petit Juror or Jurors shall attend the Provincial Court aforesaid, in the Public Levy of this Province, and be paid in the respective County or Counties where such Juror resides, besides the Quantity of ninety-six Pounds of Tobacco, to be allowed every full Jury that shall pass their Verdict in any Cause, to be paid by the Party for whom such Verdict shall pass, and be allowed in the Bill of Costs as usual, and no more; any Law, Statute, or Usage, to the contrary in any wise notwithstanding. [Allowance to Petit Jurors in the Provincial Court.]

And whereas it is and has been a frequent Practice among Parties to Suits, to summon several Witnesses to the Proof of one and the same Matter of Fact in a Cause, and many others who really know nothing of the Fact, and are summoned only to enhance the Costs, to the great Burthen and Oppression of the Party who, by the Judgment of the Court in such Cause, is awarded to pay the Costs of such Suit: For Prevention whereof for the future, Be it Enacted, That in any Bill of Costs, in any Action or Actions to be commenced after the End of this Session of Assembly, there shall not be allowed the Charge of above three Witnesses to the Proof of any one particular Matter of Fact, or any other Witness or Witnesses, that shall appear to the Court to have been unnecessarily summoned. [No more than three Witnesses to be allowed in the Bill of Costs.]

p. 467

And whereas there is not by any Law now in being, Provision made for allowing itinerant Charges to Witnesses, who may be summoned and attend to testify at the Assizes or County Courts, residing in a different County than that where such Court of Assize or County Court shall be held, to which he, she, or they, shall be summoned to give Evidence: Be it further Enacted, That where any Person shall be summoned to attend as a Witness, to testify at the [Itinerant Charges allowed to Evidences residing in other Counties.]

Liber B. L. C. Assizes or any County Court within this Province, who shall at the same Time reside in a different County than that where such Court of Assize or County Court shall be held, to which he or she shall be so summoned to give his or her Evidence; in all such Cases it shall and may be lawful for the Justice or Justices of Assize, as the Case shall happen, or the Justices of the County Court, to allow such Witness as aforesaid for so many Days itinerant Charges, as such Justice or Justices shall think reasonable, at the Rate of twenty-four Pounds of Tobacco per Diem, over and above the Time that such Witness shall attend such Court, to which he or she shall be so summoned to give Evidence.

[Proviso.] Provided always, And be it further Enacted, That it shall and may be lawful for the several and respective Inhabitants and Suitors, to pay and discharge the said several and respective Quantities of Tobacco in Current Money, at the Rate of twelve Shillings and six Pence per Centum, in the same Manner as they are enabled to pay and discharge the Public or County Levy.

[Continuance of this Act.] This Act to continue for Three Years, and to the End of the next Session of Assembly which shall happen after the said three Years.

June 23d 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam: Ogle

The Great Seal in wax appendant

23d June 1749
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up Ho.

No. 3 An Act repealing Part of an Act Entituled, An Act to encourage the destroying of Wolves, Crows, and Squirrels.

[Preamble.] Whereas, by an Act entituled, An Act to encourage the destroying of Wolves, Crows, and Squirrels, made at a Session of Assembly, begun and held at the City of Annapolis, the third Day of October, Anno Domini One thousand seven hundred twenty and eight, it is amongst other Things enacted, That every Person that should bring to any Justice of the Peace within this Province the Heads or Scalps or any more Squirrels or Crows, than the three for each Taxable by the said recited Act required, should for every such Head or Scalp be allowed in the County Levy, where such Squirrel or Crow was killed, the Sum of two Pounds of Tobacco; which Allowance is found by Experience to be very burthensome to the People, and no Ways to answer the End for which the same was made:

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That such Part of the said recited Act, so far as relates to the bringing to any Justice of the Peace within this

Province the Heads or Scalps of any more Squirrels or Crows than the three for each Taxable, by the said recited Act required, is by this present Act repealed, and made null and void; any Thing in the said recited Act contained to the contrary in any wise notwithstanding. [Liber B. L. C. [Part of an Act Repealed.]]

This Act to continue for three Years, and to the End of the next Session of Assembly which shall happen after the End of the said three Years. [p. 468 [Continuance of this Act.]]

June 23d 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam: Ogle

The Great Seal in wax appendant

23d June 1749
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

An Act to enable the Justices of Baltimore County Court, for the Time being, to levy on the taxable Inhabitants of the said County a Quantity of Tobacco, for the Uses therein mentioned. [No. 4]

Whereas it is represented to this General Assembly, that the Court-House of Baltimore County is not only so much out of Repair, as to endanger the Records remaining there, but is also, by means of the great Increase of the Inhabitants, and the Business of the said County, become too small for the Purposes of a Court-House. [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful to and for the Justices of Baltimore County Court, for the Time being, and they are hereby authorized, impowered, and required, on their laying their County Levy in November Court, in the Years Seventeen hundred and forty-nine, and Seventeen hundred and fifty, to assess and levy on the taxable Inhabitants of the said County, by two equal Assessments, the Quantity of forty thousand Pounds of Tobacco, together with the Sheriff's Salary of Five per Cent for Collection; which Sum, so assessed and levied, shall be collected by the Sheriff of Baltimore County aforesaid, who is hereby required and directed to pay the same to the Justices of Baltimore County aforesaid for the Time being; and they are hereby authorized and required to apply the same, as well towards repairing, as enlarging the Court-House of Baltimore County aforesaid, and to no other Use or Purpose whatsoever. [40,000 lb. of Tobacco to be levied at two equal Assessments.]

Provided always, And be it further Enacted, That it shall and may be lawful for the several and respective Inhabitants of Baltimore County to pay and discharge the said several and respective Sums of Tobacco, so to be levied and raised to and for the Uses [Proviso.]

Liber B. L. C. aforesaid, in Current Money, in the same Manner as they are enabled to pay and discharge the Public or County Levy.

And be it further Enacted, That the said Justices of Baltimore County Court shall not levy, or cause to be levied, on the taxable Inhabitants of the said County, any more Tobacco or Money, for the repairing or enlarging the Court-House of the same County, than is herein directed, or they are hereby impowered to levy, for and during the Space and Term of two Years next ensuing; any Law, Statute, Usage, or Custom, to the contrary thereof in any wise notwithstanding.

[No more Tobacco or Money to be levied, than by this Act is directed.]

June 23d 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam: Ogle

The Great Seal in wax appendant

23d June 1749
Read and Assented to by the Upper house of Assembly
Signed p Order
J Ross Ct Up Ho.

No. 5 An Act impowering the Justices of Calvert County Court, to assess and levy on the taxable Inhabitants of the said County a Sum not exceeding One thousand Pounds Current Money; and to impower certain Commissioners therein named, to appropriate the same towards building, finishing, and compleating a new County Court-House, for the said County.

[Preamble.] Whereas, the County Court-House of Calvert County is lately p. 469 burnt by Means of an unavoidable Accident, and that thereby the said County is at present destitute of a proper and convenient Place to hold their Court in: For Remedy whereof it is humbly prayed that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Calvert County Court, for the time being, shall be, and they are hereby authorized, impowered and required, on their laying their County Levy in November Court, in the Years Seventeen hundred and forty-nine, and Seventeen hundred and fifty, to assess and levy on the taxable Inhabitants of the said County, by two equal Assessments, any Sum of Money not exceeding two hundred and fifty Pounds in each Year, exclusive of the Sheriff's Salary of five per Cent for Collection thereof; and the same Sum of Money, or such Part thereof as shall so as aforesaid be annually assessed and levied, to pay by an Order of Court (which they are hereby authorized and impowered to make) to the Commissioners hereafter named, or the major Part of them, to be by them, or the major Part of them, applied to the Use and Purpose herein after mentioned, and not otherwise.

[Five hundred pounds to be levied by two equal Assessments.]

And be it further Enacted by the Authority aforesaid, That Master Benjamin Mackall, senior, Master James Heighe, Master Benjamin Mackall, junior, Master Benson Bond, Master Benjamin Hance, Doctor James Somervell, Master Benjamin Johns, Master James Duke, and Master Edward Gaunt, be and are hereby appointed Commissioners; and, as such, they, or the major Part of them, are by Virtue of this Act authorized and impowered to meet at Prince Frederick Town, the Place where the late Court-House did stand, on or before the first Day of November next, and then and there to treat and agree with an Undertaker, or Undertakers, Workman, or Workmen, to build and finish a Court-House for the said County, of good Brick or Stone, and of the same Dimensions and Form with that lately burnt, and to set the same, or to cause the same to be set, on or near the same Place where the former Court-House lately stood; and that after the finishing and compleating of the said Court-House, so to be built as aforesaid, Calvert County Court shall be held in such new Court-House, and such new Court-House shall be taken, held, and deemed to be the proper Court-House of Calvert County.

Liber B. L. C. [Names of the Commissioners.]

[Their Duty.]

And whereas, by the Act entituled, An Act for emitting and making current Ninety Thousand Pounds, Current Money of Maryland, in Bills of Credit, among other Things it was Enacted, That five hundred Pounds in each respective County, within this Province, should be laid out in building convenient Goals in the respective Counties, near and convenient to the several Court-Houses, under the Direction and Appointment of the several Representatives of the several Counties for the Time being. And whereas the said five hundred Pounds, appropriated by the recited Act aforesaid, for the building a convenient Goal in Calvert County aforesaid, hath not as yet been taken out of the office of the Commissioners or Trustees for emitting Bills of Credit established by Act of Assembly, for the Purpose aforesaid, and that it is thought unnecessary by this present General Assembly to have any Prison built for the County aforesaid, until such Time as the Court-House for the said County is finished and compleated: Be it therefore Enacted by the Authority, Advice, and Consent aforesaid, That it shall and may be lawful for the Commissioners aforesaid, or the major Part of them, to apply to and receive from the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly, the said Sum of five hundred Pounds current Money now remaining in their Hands, and for the said Commissioners or Trustees to pay the same to the Commissioners aforesaid, or the major Part of them, or their Order; and that such Sum, when so received by the Commissioners aforesaid, shall be by them, or the major Part of them, applied towards the building, finishing and compleating the Court-House

[Five hundred pounds allowed out of the Paper-Office, for building a County Goal.]

p. 470 [The same to be likewise applied to the finishing of the Court-House.]

Liber B.L.C. aforesaid; and not in any other Manner, or to any other Use, Intent, or Purpose whatsoever.

And be it further Enacted by the Authority aforesaid, That when the Court-House for Calvert County is fully and compleatly finished as aforesaid, it shall and may be lawful for the Justices of the said County Court for the Time then being, at November Court to be held for the said County in the Years Seventeen hundred fifty-one, Seventeen hundred fifty-two, and Seventeen hundred and fifty-three; and they are hereby impowered, authorized, and required, to assess and levy on the taxable Inhabitants of the said County, by three equal and annual Assessments, the Sum of five hundred Pounds current Money, together with the Sheriff's Salary of five per Cent for Collection; and when the same is so levied and assessed, to pay the same to the Representatives of the County for the Time being, who are hereby authorized and required to apply the five hundred Pounds aforesaid to the building, finishing, and compleating a convenient Goal in the said County, near and convenient to the new Court-House so as aforesaid to be erected; and such Goal shall be taken, held, and deemed to be the proper Goal of Calvert County.

[500 l. more to be levied by 3 equal Assessments, for building a Goal.]

And be it further Enacted by the Authority aforesaid, That the Commissioners so as aforesaid appointed by this Act shall be, and they are hereby authorized and impowered to employ some able and skilful Person to overlook the Workman or Workmen, so by them employed in building, finishing, and compleating the Court-House aforesaid, and to pay such Person for his Trouble therein, such reasonable Reward as by them the said Commissioners, or the major Part of them, and the said Person, shall be agreed upon.

[The Commissioners to appoint a skilful Person to overlook the Workmen.]

. And be it likewise Enacted, That one Act of Assembly of this Province Entituled, An Act impowering the Justices of Calvert County Court to assess and levy on the taxable Inhabitants of the said County, a Sum not exceeding One thousand Pounds current Money; and to impower certain Commissioners therein named to appropriate the same, towards building, finishing, and compleating a new County Court-House for the said County, made at a Session of Assembly begun and held at the City of Annapolis, the tenth Day of May, One thousand seven hundred forty and eight, be and is hereby declared to be repealed, and made null and void.

[An Act repealed.]

June 23d 1749
Read and Assented to by the Lower House of Assembly.
Signed p Order
M. Macnemara Cl lo ho.

On behalf of the Right Honble the Lord Propry of this province I will this be a Law.
Sam: Ogle

The Great Seal in wax appendant

23d June 1749
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

An Act impowering the Justices of Baltimore County Court to assess and levy a Sum of current Money, and for other Purposes therein mentioned. Liber B. L. C. No. 6

Upon Application made by Petition to this present General Assembly, from the Rector, Vestrymen, Churchwardens, and other Inhabitants of St. Paul's Parish, in Baltimore County, Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Major Thomas Sheredine, Mr. Tobias Stansbury, Mr. Sabrett Sollers, Mr. William Lynch, and Mr. Thomas Franklin, or the major Part of them, be, and they are hereby authorized, impowered, and required to sell and dispose of in Fee Simple, for the best Price that can be got, the Glebe Land belonging to the said Parish; and the same Moneys arising by such Sale to lay out and dispose of, in the Purchase of so much Land within Baltimore-Town, in the aforesaid Parish and County, as the said Money shall extend unto, in Fee Simple; the Deed or Deeds of Conveyance of such Land to be made and executed between the respective Vender of the one Part, and the Rector, Vestrymen, and Churchwardens of the said Parish, for the Time being, of the other Part, and to be so worded, as to operate and vest the said last mentioned Land in like Manner, and to the like Uses, Intents, and Purposes, as the aforesaid Glebe Land hath been. [Preamble.] p. 471 [Persons appointed to sell the Glebe Land of St. Paul's Parish; and to purchase Land in Baltimore Town, with the Money arising from such Sale.]

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That it shall and may be lawful to and for the Justices of Baltimore County Court for the Time being, and they are hereby directed and required, at the next November Court, to assess and levy on the taxable Inhabitants of the aforesaid Parish, in the County aforesaid, a Sum not exceeding the Sum of two hundred and fifty Pounds current Money, in the same Manner and under the same Terms as the County Charges are usually assessed and levied: And that the aforesaid Thomas Sheredine, Tobias Stansbury, Sabrett Sollers, William Lynch, and Thomas Franklin, or the major Part of them, are hereby authorized, directed, and required to buy and purchase in Fee, in the Name of the Rector, Vestrymen, and Churchwardens of the said Parish, one Acre of Land, at, or as near to the House commonly called the Red House, in Baltimore County aforesaid, as the same may be conveniently had. And the aforesaid Thomas Sheredine, Tobias Stansbury, Sabrett Sollers, William Lynch, and Thomas Franklin, or the major Part of them, are hereby authorized, directed, and required, to agree and contract with a Workman or Workmen, to undertake, erect, build, and in a Workman-like Manner compleat and finish, on the aforesaid one Acre of Land, a Chapel of Ease to the aforesaid Parish; and the aforesaid Acre of Land, when bought, and the aforesaid Chapel, when built, shall be, and they are hereby enacted and declared to be [The justices of Baltimore County to levy 250 l. for purchasing one Acre of Land, and building a Chapel of Ease to the said Parish.] [Workmen to be contracted with for building the said Chapel.]

Liber B. L. C. vested in the said Parish, as the Estate and Chapel of Ease to the aforesaid Parish, for the Worship and Service of God, in like Manner as other Lands and Chapels of Ease thereon built in other Parishes are used and enjoyed.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That the aforesaid Thomas Sheredine, Tobias Stansbury, Sabrett Sollers, William Lynch, and Thomas Franklin, or the major Part of them, be, and they are hereby authorized and impowered from Time to Time, as Occasion shall require, for the Purposes aforesaid, to draw upon the Sheriff of Baltimore County, in whose Hands the aforesaid Sum of two hundred and fifty Pounds current Money, so as aforesaid to be assessed and levied, or such Part thereof as shall by Virtue of this Law be so assessed and levied, shall remain, for so much of the said Money, as they the said Thomas Sheredine, Tobias Stansbury, Sabrett Sollers, William Lynch, and Thomas Franklin, or the major Part of them, shall from time to time think it necessary to draw for, towards Satisfaction or Payment for the Purchase of the aforesaid Acre of Land, and for building, finishing, and compleating the Chapel of Ease aforesaid: And the said Sheriff shall be, and he is hereby authorized and obliged from time to time to pay the same to such Orders accordingly, so far as the said Sum (thereout first deducting his Commission for collecting the same) shall extend unto.

[The Sheriff to be drawn upon for Money, as Occasion shall require.]

June 23rd 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct lo ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam: Ogle

The Great Seal in wax appendant

23 June 1749
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross. Ct Up. Ho.

No. 7 p. 472

An Act to take off the Allowance for killing Wolves in Frederick County.

[Preamble.] Whereas sundry of the Inhabitants of Frederick County, by their humble Petition to this General Assembly, have set forth, that the Charge attending the Payment for destroying Wolves in the said County, according to the Directions of an Act entituled, An Act to encourage the destroying of Wolves, Crows, and Squirrels, would greatly tend to the Prejudice of the Inhabitants of the said County:

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That that Part of an Act entituled, An Act to encourage the destroying of Wolves, Crows, and Squirrels, so far as relates to the killing of Wolves, or making an Allowance for any Wolves Heads to be brought to any Justice or Justices of the Peace within the said County, shall be and is hereby repealed, nulled, and

[Part of an Act repealed.]

made void. And be it further Enacted, That it shall not be lawful for the Justices of the said Frederick County Court, or any of them, to assess or levy on the taxable Inhabitants of the said County any Sum or Sums of Tobacco or Money, for the killing or destroying any Wolf or Wolves within the said County, which shall be killed or destroyed from and after the tenth Day of July next, any Thing in the said recited Act to the contrary notwithstanding. Liber B. L. C. [No Allowance for killing of Wolves, after the 10th Day of July, 1749.]

Provided nevertheless, That it shall and may be lawful for the Justices of Frederick County, and they are hereby required, to assess or levy on the taxable Inhabitants of the said County any Sums of Tobacco or Money, for any Wolf or Wolves which have been or shall be killed at any Time before the tenth Day of July next, the Party bringing or carrying the same first making Oath before some Magistrate, at or before the twentieth Day of July next, that such Wolf or Wolves was or were, bona fide, killed before the tenth Day of July aforesaid, or produce a Certificate from under the Hand of some Magistrate, that such Wolf or Wolves was or were killed before the tenth Day of July aforesaid, if killed by an Indian. [Proviso.]

And be it further Enacted, That the several Allowances to be made in Virtue of this Act, shall be liable to the same Deduction and Manner of Payment as other County Allowances are directed to be made by the Laws of this Province.

This Act to continue for three Years, and to the End of the next Session of Assembly which shall happen after the End of the said three Years. [Continuance of this Act.]

June 23d 1749.
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct lo ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam: Ogle

The great Seal in wax appendant

23 June 1749
Read and Assented to by the Upper House of Assembly.
Signed p Order
J Ross Ct Up Ho.

An Act for the speedy and effectual Publication of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer. No. 8

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of the several and respective County Courts within this Province shall, and they are hereby impowered and directed, to make an Allowance of Twenty Pounds, Current Money of this Province, to the said Jonas Green, in the Levy to be laid for each respective County after this present Session of Assembly; and that the said Twenty Pounds (with the Sheriff's Commission for collecting the same) so to be allowed and assessed as aforesaid, shall [Twenty Pounds to be allowed unto Jonas Green, in each County, for Printing the Laws and Votes, within a limited time.]

Liber B. L. C. be collected by the Sheriff of each respective County, and yearly paid by him, free from all Charges of Collection, to the said Jonas Green, p. 473 or his Order, for Printing, Stitching, Covering with Marble Paper, Vellum, or Sheep Skin, and Delivering a Copy of the Public Laws within three Months, and Votes and Proceedings of the Lower House of Assembly within the Space of four Months, from the End of this present Session, and every other Session which shall yearly happen during the Continuance of this Act, to the Governor, and every Member of the Upper and Lower Houses of Assembly; and one Book of the Votes and Proceedings to the Clerk of each House, and three Books of the Votes and Proceedings aforesaid to the Clerks of the several and respective County Courts, for the Perusal of the Inhabitants of the several and respective Counties; and delivering a Copy of the Public Laws, during the Continuance of this Act, to every Provincial and County Magistrate; and a Copy of each Law bound up in Leather to each House of Assembly, the high Court of Appeals, the Provincial Court, and to each County Court of this Province.

And be it likewise Enacted, That altho' it may so happen, that in any Year during the Continuance of this Act, there should not be any Session of Assembly held within this Province, whereby the said Jonas Green may be enabled to print Laws, and deliver them within such Year, that then and in such case, the said Justices of each respective County shall nevertheless, and they are hereby directed and required to levy the Sum of Fifteen Pounds Current Money, free from Deduction, in each respective County, to be paid by the respective Sheriff of each County respectively to the said Jonas Green, or his Order, for his better Support and Encouragement in serving this Province, and residing within the same: For the Collection and Payment of which, or any other Sum or Sums in this Act mentioned, there shall be allowed to the said Sheriffs respectively a Commission of five Pounds per Centum, and no more. Provided always, That the said Jonas Green shall actually reside at Annapolis during the Continuance of this Act, and comply with the Terms thereof on his Part; and that upon the Death of the said Jonas Green, or his Removal from Annapolis, or ceasing to comply with the Terms of this Act on his Part, that the Payment of the Sums of Money directed by this Act to be paid to him shall cease; any Thing contained in this Act to the contrary notwithstanding.

[In case of no Session in any one year, 15 l. to be allowed.]

[Proviso.]

And be it likewise Enacted, That the Copy of the Public Laws made this present Session of Assembly, as well as those made at any future Session during the Continuance of this Act, shall have marginal Notes made and printed thereto, as also the Date of the Year, wherein such Laws were respectively made, inserted in each Page; and a List of such Laws made at the End of each Session, with the Folio where they are printed: All which the said Jonas Green is hereby required and obliged to do, as well as all other Services herein

[The Laws to have Marginal Notes, &c.]

before mentioned, for the yearly Salary aforesaid. Provided nevertheless, That it shall and may be lawful for the Sheriffs of each respective County, and they are hereby required not to pay to the said Jonas Green the said Sum of Money mentioned in this Act, or any Part thereof, to be assessed and levied for his Use, unless it shall be made appear to them, by a Certificate from the Clerk of each respective County (which Certificate shall be given by the Clerk without Fee or Reward), that the Public Laws, and the Votes and Proceedings, of this present Session, and every future Session, within the Space of three or four Months, as aforesaid respectively, from the End of this and every future Session, shall be printed and delivered in Manner and Form as by this Act is directed; any Thing in this Act contained to the contrary in any wise notwithstanding. Liber B.L.C. [Proviso.]

And be it likewise Enacted, That the several and respective Sheriffs within this Province shall, and they are hereby directed and required to receive and forward the said Laws, with the Votes and Proceedings aforesaid, to the Clerk of the several County Courts, and the Members of each House of Assembly, as other public Letters are by the Laws of this Province directed to be forwarded. p. 474 [Laws, &c. to be forwarded as public Letters.]

And whereas, by the Badness of the Weather, and other unavoidable Accidents, the Laws made in the Years One thousand seven hundred and forty-seven, and one thousand seven hundred forty and eight, together with the Votes and Proceedings of the Lower House of Assembly, were not delivered in Kent County according to the Direction of former Laws, until a few Days after the Time limited thereby was expired, by means whereof the Money levied in Kent County for the Year Seventeen hundred forty-seven, and lodged in the Hands of the Sheriff for the Use of the said Jonas Green, has not been paid: And whereas the Allowance to the said Jonas Green for the Year Seventeen hundred forty-eight was not, for the Reason aforesaid, levied by the Justices of Kent County aforesaid, in the Levy of the said County laid in the aforesaid Year Seventeen hundred forty-eight: Be it therefore Enacted, That it shall and may be lawful to and for the Sheriff of Kent County aforesaid, and he is hereby directed to pay unto the said Jonas Green, or his Order, the Sum of Twenty Pounds current Money, levied as aforesaid, for the Use of the said Jonas Green; and it shall and may be lawful to and for the Justices of the said County, and they are hereby directed, at their next Levy, to assess and levy on the said County the Sum of Twenty Pounds current Money, for the Use of the said Jonas Green, for printing the Laws, and Votes and Proceedings, aforesaid; and the Sheriff of the said County is hereby directed and required to pay to the said Jonas Green, or his Order, the last aforesaid Sum of Twenty Pounds current Money, when the same shall be so as aforesaid levied; any former Law to the contrary thereof in any wise notwithstanding. [40 l. to be allowed to Jonas Green, in Kent County, for the Years 1747 and 1748.]

Liber B. L. C. And whereas the Justices of Dorchester County, at the laying the Levy for their County in the Year Seventeen hundred forty and seven, did levy only the Sum of Fifteen Pounds current Money, for the Use of the said Jonas Green, for the printing, stitching, and delivering the Laws and Votes and Proceedings as aforesaid, instead of Twenty Pounds directed to be levied by former Laws of this Province: Be it therefore Enacted, That it shall and may be lawful for the Justices of Dorchester County aforesaid, and they are hereby directed to allow and assess unto the said Jonas Green, in their next County Levy, the Sum of Five Pounds current Money, over and above the Twenty Pounds by this Law allowed to be made him, for printing, stitching, and delivering the Laws and Votes and Proceedings of this Session; any former Law to the contrary thereof in any wise notwithstanding.

[5 l. allowed in Dorchester County, to make good a Deficiency in 1747.]

[Continuance of this Act.] This Act to continue until the twenty-fifth Day of December, which shall be in the Year One thousand seven hundred and fifty.

June 23d 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct lo ho.

On behalf of the Right Honble the Lord Propt of this Province I will this be a Law
Sam: Ogle

The great Seal in wax appendant

23 June 1749
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up Ho.

No. 9 An Act for the more effectual destroying Squirrels and Crows in the Counties of Kent, Queen Anne's, and Talbot; and for destroying red Foxes in the said Counties.

[Preamble.] Whereas it is represented to this present General Assembly, That p. 475 in the Counties of Kent, Queen Anne's, and Talbot, the Laws heretofore made for the destroying of Squirrels and Crows have been found ineffectual; and further, That red Foxes have been found to be greatly injurious to the Inhabitants of those several and respective Counties. Wherefore it is prayed that it may be Enacted,

[Two Pounds of Tobacco to be allowed for each Crow or Squirrel above the three for each Taxable.] And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this present Session of Assembly, every Person in the said Counties of Kent, Queen Anne's, and Talbot, who shall bring to any Justice of the Peace of the aforesaid Counties the Heads or Scalps of any more Squirrels or Crows, than the Three required to be brought in for each Taxable, by an Act entituled, An Act to encourage the Destroying of Wolves, Crows, and Squirrels, shall for every such Head or Scalp be allowed, in the Levy of any of the aforesaid Counties, where such Squirrel or Crow shall be killed, the Quantity of two Pounds of Tobacco; and the Justice of the Peace before whom such

Scalp or Head shall be brought, is hereby required to give the Persons bringing the same a Certificate thereof, and cause the said Heads and Scalps to be burnt, or otherwise destroyed. Liber B. L. C.

And be it further Enacted, That every Person who shall kill or destroy any red Fox in any of the aforesaid Counties of Kent, Queen Anne's, or Talbot, and shall bring the Head of the same to any Justice of the Peace for the aforesaid Counties, who is hereby required to burn or otherwise destroy the same, and give the Person so bringing such Fox's Head a Certificate thereof; shall be allowed for every such Head, in the County Levy, the Quantity of twenty Pounds of Tobacco. [Twenty Pounds of Tobacco allowed for each red Fox killed.]

Provided always, That no Person whatsoever, other than those who shall be Residents in the aforesaid Counties of Kent, Queen Anne's, and Talbot, shall be intitled to such Rewards as is herein before directed; nor any such Residents, until he, she, or they shall first make Oath before a Justice of the Peace, or Affirmation (if a Quaker), or make appear by the Oath, or Affirmation (if a Quaker), of some other credible Person, that such Crow, Squirrel, or Fox was, to his, her, or their Knowledge, or the Knowledge of such other credible Person, actually killed after the Commencement of this Act, and in the County where the Allowance is prayed. [Proviso.]

Provided always, That the said several Sums herein before mentioned to be allowed for every such Squirrel's Scalp, Crow's or Fox's Head, shall and may be collected, paid, and discharged by the Inhabitants of the said Counties of Kent, Queen Anne's, and Talbot, respectively, as other Public and County Levies are collected, paid, and discharged. [Proviso.]

This Act to continue for three Years, and to the End of the next Session of Assembly which shall happen after the End of the said three Years. [Continuance of this Act.]

June 23d 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam: Ogle

The great Seal in wax appendant

23 June 1749
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

An Act to impower the Justices of Queen Anne's County Court to sell the Materials of the old Prison of that County, and the Produce thereof to apply as therein directed. No. 10 [Money arising from the Sale of the old Prison, to be applied towards defraying the Expence of the County.]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful to and for the Justices of Queen Anne's County Court, for the Time being, and they are

Liber B. L. C. hereby directed and required after the End of this present Session of Assembly, as soon as conveniently may be, to bargain, sell, and dispose of, for the greatest Price in current Money that can be got
p. 476 for the same, the Materials, of what Nature or Kind soever, of the House heretofore erected or used for the Prison or Goal of the said County, and now commonly called or known by the Name of the Old Prison; and the Money arising by such Sale, the Justices aforesaid are hereby directed and required to use and apply towards the defraying the public Charge of the said County; any Law, Usage or Custom to the contrary thereof, in any wise notwithstanding.

June 23d 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Hon^ble^ the Lord Prop^ry^ of this Province I will this be a Law.
Sam: Ogle

The great Seal in wax appendant

23 June 1749
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl Up Ho.

No. 11 An Act for the Relief of Persons accused and acquitted, and of Witnesses against Persons accused.

[Preamble.] Whereas many People within this Province have been accused and prosecuted for Offences and Crimes whereof they have been innocent, and thereof have been acquit; but by Means of the great Expence and Charges attending such Prosecutions, have been either confined for such Expence and Charges, or sold for Servants. And whereas also many indigent Persons, or Strangers, have been necessarily, for Want of Sureties to appear as Witnesses, committed to Prison; by Means whereof, such Persons have often been sold as Servants for the Prison Fees arising upon such Commitment, or otherwise detained in Prison for such Fees, to their great Damage, and Loss to the Public in the Labour of such Person or Persons.

[Prosecution and Imprisonment Fees to be paid by the County or the Public, where the Person accused is acquired.] Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That where any Person, from and after the End of this Session of Assembly, shall be arrested, accused, or prosecuted, in any Court within this Province, for any Offence or Crime whatsoever, and be duely and legally acquit by Verdict of a Jury Ignoramus returned, or otherwise, that then and in such Case, such Person shall not be chargeable with, or pay any Fees upon such Prosecution, or by Reason thereof; but that in such Case, the County where the Prosecution is carried on shall be chargeable with, and pay such Fees: And in all other Cases, not within the Cognizance of the County Courts, but tried or otherwise determined in a superior Court, the Public shall be chargeable with, and pay such Fee or Fees; any Law, Usage, or Custom, to the contrary notwithstanding.

And be it likewise Enacted, That where any Person, Witness against any Person or Persons accused of any Crime or Crimes within this Province, cannot find Surety for his or her Appearance, to testify as a Witness against any Person so arrested, accused, or prosecuted as aforesaid, and for Want of such Surety shall be committed to Prison; that then and in such Case, the County where the Prosecution shall be carried on, shall be chargeable with and pay such Witness's Imprisonment Fees: And in case the Prosecution shall be in a superior Court, then and in such Case, the Public shall be chargeable with and pay such Fees; any Law, Usage, or Custom, to the contrary notwithstanding. Liber B. L. C. [Fees of Witnesses imprisoned for want of Sureties, to be discharged in like Manner.]

And be it likewise Enacted, That the Justices of the several and respective County Courts within this Province shall, and they are hereby obliged and directed to assess and levy, on the taxable Inhabitants of their respective Counties, all such Fees as are herein before directed to be paid by the respective Counties of this Province, from Time to Time, and at all Times hereafter, as often as the Case shall require, during the Continuance of this Act. [The said Fees to be levied on the taxable Inhabitants.] p. 477

And be it likewise Enacted, That all such Fees shall and may be paid by the Inhabitants of this Province in the same Manner, as they are allowed by Law to pay any other County or Public Charges; any Thing in this Act contained to the contrary thereof, in any wise, notwithstanding. [And paid as other Public and County Levies.]

This Act to continue for three Years, and to the End of the next Session of Assembly which shall happen after the End of the said three Years. [Continuation of this Act.]

June 23rd 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam: Ogle

The great Seal in wax appendant

23 June 1749
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up Ho.

An Act for taking off corporal Punishment inflicted on Females having base-born Children, and other Purposes therein mentioned. No. 12

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this present Session of Assembly, every free Woman who shall commit Fornication, and shall be thereof convict in any County Court of this Province, either by Confession or Verdict, shall be fined by the Justices of the said Court in the Sum of thirty Shillings, current Money of this Province, for her said Offence. And in case such Offender shall refuse or neglect to discover to the said Court, upon Oath, the Person with [Persons convicted of Fornication, to be fined 30 s. each.]

Liber B.L.C. whom she committed such Offence, that then she shall be fined by the said Court, in a summary Way, the further Sum of thirty Shillings like Money, as a Fine for such Person, over and above the aforesaid Fine for her own Offence as aforesaid, together with all Charges of such Prosecution: And in case she shall make such Discovery as aforesaid, that then the said County Court shall be, and they are hereby authorized, directed, and required to proceed against such Person, in like Manner as in other criminal Cases; and if he shall be convict of such Offence, by Confession or Verdict, then he shall, by the said County Court, be fined in the Sum of thirty Shillings current Money, for the said Offence, together with all Charges of such Prosecution.

[Security to be given in case of Bastardy.] And be it further Enacted by the Authority, Advice, and Consent aforesaid, That in case a Birth shall proceed from such Fornication, and such Woman shall refuse or neglect to discover as aforesaid; then she shall, over and above the Fines aforesaid, be ordered and adjudged by the County Court, to give good Security to keep the Child so born from becoming any Charge to such County; or for want of such Security, she shall be and stand committed to the Sheriff's Custody. And in case such Discovery as aforesaid shall be made in Manner aforesaid, then the Person with whom she committed such Offence, shall, over and above the Fine aforesaid, be ordered and adjudged by the County Court, to give good Security to keep the Child so born from becoming any Charge to such County; and for Want of such Security, he shall be and stand committed to the Sheriff's Custody, and such Woman shall go thereof discharged.

[Security to be given for Payment of Fines and Charges.] p. 478 And be it further Enacted by the Authority, Advice, and Consent aforesaid, That if such Woman, guilty of Fornication as aforesaid, will not discover as aforesaid, and shall be unable or unwilling to pay her Fine and Charges aforesaid; or if upon such Discovery as aforesaid, such Person shall be unwilling or unable to pay his Fine and the Charges as aforesaid; then, and in every such Case, such Man or Woman respectively, as the Case shall happen, shall be obliged to give good Security to the Right Honourable the Lord Proprietary, for the Payment of such Fines and Charges by a certain Day, not less than twelve Months from the Time of taking such Security; and for Default of such Security, to be and stand committed to the Custody of the Sheriff.

[Fines, &c. to be applied towards defraying the County Charges.] And be it further Enacted by the Authority, Advice, and Consent aforesaid, That every such Fine as aforesaid shall be, and is hereby declared and directed to be applied towards the defraying the public Charge of every such County respectively.

[Recital of Part of an Act.] And whereas, by an Act entituled, An Act for the punishing the Offences of Adultery and Fornication, it is Enacted, "That it shall and may be lawful for the Minister, Vestry, and Churchwardens of

any Parish where there is a Minister, and for the Vestry and Church- Liber B. L. C.
wardens where there is no Minister, before any Admonition by them or any of them given, in pursuance of the Directions aforementioned, to give Notice, or cause Notice to be given, to any Person or Persons by them, or the major Part of them, suspected of Lewdness or Incontinency, and being or residing within their respective Parishes, to appear before them, or the major Part of them, at such Time and Place as they or the major Part of them shall appoint; and on the Appearance of such Person or Persons, to acquaint them of the Suspicion that is had of them, and to hear what reasonable Excuse such Persons shall offer, why they ought not to be proceeded against according to Law as Fornicators or Adulterers, as the Case shall happen: And in case the Person or Persons having such Notice given them shall not appear according to such Notice, on Affidavit of such Notice given, or appearing do not excuse or acquit themselves of the Grounds of such Suspicion, in such Manner as such Minister, Vestry, and Churchwardens as aforesaid shall approve, that then it shall and may be lawful for such Minister, Vestry, and Churchwardens, or the major Part of them, as aforesaid, and they are hereby required to admonish such Person or Persons according to the Directions aforementioned; which Admonition, together with Proof of the Cohabitation of the Parties so admonished, or their frequenting the Company of each other, contrary to, and after such Admonition given, shall be sufficient Evidence in any Court of this Province, to convict the Persons so cohabiting or frequenting each others Company after Admonition given as aforesaid, of Fornication or Adultery, as the Case shall happen, and subject them to the Penalties aforementioned respectively."

[Persons refusing to appear before the Vestry, to be deemed guilty.]

And be it Enacted, That if any Person or Persons do not appear according to such Notice, on Affidavit of such Notice being given, it shall be taken for Proof of a Cohabitation of the Parties to whom such Notice shall be given, of their Lewdness or Incontinency, and a Confession of their Guilt; and shall be sufficient Evidence in any Court in this Province, to convict the Person or Persons so cohabiting or frequenting each others Company, in the same Manner, to all Intents and Purposes, as if such Person or Persons did appear before the Vestry and Churchwardens as aforesaid, and were by them actually admonished.

[Part of an Act repealed.]

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That so much of an Act of Assembly of this Province, made at a Session of Assembly begun and held at the City of Annapolis on the twenty-sixth Day of April, in the Year Seventeen hundred and fifteen, Entituled, An Act for punishing the Of-

Liber B.L.C. fences of Adultery and Fornication, as relates to corporal Punishment for Fornication, be and is hereby repealed.

June 23rd 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam: Ogle

The great Seal in wax appendant

23 June 1749
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl Up Ho.

No. 13 p. 479

An Act for further altering and establishing certain Warehouses, and for other Purposes therein mentioned.

[Preamble.] Whereas many of the Inhabitants of Calvert County, by their humble Petition to this General Assembly, have prayed that the House for Inspection of Tobacco on the Lower Side of Hunting-Creek, near the Place where Benjamin Hance his Warehouse now stands, is found to be inconvenient to most of the Persons who are to have Tobacco inspected on that Creek; and for That that the Place called Hunting-Town is known to be a much more proper Place for that Purpose.

[Inspecting-House to be at Hunting Town instead of Hunting Creek.] Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That one of the public Places for Inspection of Tobacco in Calvert County, shall be at Hunting-Town, in the Room and Stead of that appointed by an Act of Assembly of this Province entituled, an Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, to be on the Lower Side of Hunting-Creek, near Mr. Hance's Warehouse; any Thing in the said recited Act to the contrary in any wise notwithstanding.

[Warehouses on Porter's Land, and at Wells's Landing to be under separate Inspections.] And whereas it is also represented to this General Assembly, by sundry Inhabitants of Queen Anne's County, that the Houses appointed for Inspecting Tobacco on the Land of Richard Porter, junior, and at the Landing of Humphry Wells, junior, are at least ten Miles distant from each other; and that the Difficulty of attending them at such a Distance (they being at present appointed to be under one Inspection) has deterr'd such Persons as have hitherto been commissioned to be Inspectors at those Houses from serving. Be it therefore further Enacted by the Authority, Advice, and Consent aforesaid, That the Warehouses for Inspecting Tobacco on the Land of the said Richard Porter, junior, and at the Landing of Humphry Wells, junior, shall be under separate and distinct Inspections; any Thing in the above recited Act to the contrary notwithstanding.

And be it further Enacted, That there shall be paid to the Inspectors to be appointed to attend in Virtue of this Act, at the aforesaid Warehouses, the Salaries hereafter mentioned; (that is to say,) to each Inspector, for the Warehouse on the said Richard Porter, junior, his Land, the Sum of forty five Pounds current Money, per Annum, and no more; at the Warehouse at the said Humphry Wells his Landing, the Sum of forty Pounds current Money, per Annum, and no more; any Thing in the before recited Act, or any Act, to the contrary notwithstanding. Liber B. L. C. [Salaries of the Inspectors.]

And whereas it is doubtful whether those Persons who had Warehouses built at the Time of making the aforesaid recited Act, and which are appointed to be public Warehouses for Inspection of Tobacco, are obliged to provide Cranes and Prizes, and other Necessaries, at the said respective Warehouses. Be it therefore Enacted, That all and every such Person or Persons, who had a Warehouse built at the Time of making the said recited Act, and which were appointed by the said Act to be public Warehouses for Inspection of Tobacco, shall be, and they are hereby obliged to provide Cranes and Prizes, and all other necessaries, towards carrying the said recited Act every Way into Execution, in the same Manner, and under the same Directions of the Magistrates, as the several and respective Proprietors or Owners of those Lands, who have built Warehouses for Inspection of Tobacco, since the Making the said recited Act, are obliged to do. [Persons who had Warehouses built at the Time of making the Inspection Laws to provide Cranes, Prizes, and other Necessaries for such Houses.]

And whereas by the said recited Act it is Enacted, "That in case of the Death, Resignation, Refusal, or Removal of any Inspector or Inspectors, the Governor or Commander in Chief, for the Time being, shall and may nominate and appoint any other Person or Persons, mentioned in the last Recommendation to be sent him from such Vestrymen and Churchwardens, for any Inspection where a Vacancy shall or may happen as aforesaid, to succeed any Inspector or Inspectors as aforesaid resigning, refusing, removing, or dead. But should it so happen, that by Deaths, Resignations, Refusals, or Removals, there should not be Persons enough left in the Nominations of the respective Vestrymen and Churchwardens, so as aforesaid to be transmitted, for the Appointment of the Governor or Commander in Chief, then and in such Case the Vestrymen and Churchwardens of any Parish or Parishes, where this shall happen to be the Case, shall immediately meet as aforesaid, and elect two or four, as the Case shall require, for Inspectors, and as before transmit them to the Clerk of the Council, to be as before laid by him before the Governor or Commander in Chief; out of which the said Governor or Commander in Chief shall appoint a sufficient Number, according to the true Intent and Meaning of the said recited Act, to serve as Inspectors respectively, according and in Pursuance of the Recommendations aforesaid from the respective Ves- [Part of an Act recited.] p. 480

Liber B.L.C. trymen and Churchwardens." Be it Enacted by the Authority, Advice, and Consent aforesaid, That if any Person, who is or shall be appointed by his Excellency the Governor for the Time being, to be an Inspector, shall refuse to take upon himself the Execution of the said Office or Duty, such Person so refusing shall be, and he is hereby obliged and directed to signify such his Refusal in Writing, under his Hand, directed to the Clerk of the Council for the Time being, and shall within the Space of ten Days from the Receipt of his Warrant, deliver such Writing to the Sheriff of the County, or his Deputy, where such Person shall reside, under the Penalty of fifty Shillings current Money, to be recovered before a single Magistrate, as in Case of small Debts; and the said Sheriff shall, and he is hereby obliged, to forward the same in the like Manner that Public Letters, by the Laws of this Province, are to be forwarded, which are directed for his Lordship's Service.

[Persons appointed by the Governor to be Inspectors, refusing to accept that Office.]

And be it further Enacted, That there shall be a public Warehouse on Mr. Sutton Isaac his Land, on Plumb Point in Calvert County, for Inspection of Tobacco, under the same Inspection with that at Hunting-Town in the said County; and that there shall be paid to each Inspector, appointed, or to be appointed to attend in Virtue of this Act, at the said Plumb Point Warehouse and Hunting-Town Warehouse, the Sum of fifty Pounds current Money for this Year, and the Sum of sixty Pounds for every Year after.

[A Warehouse to be erected at Plumb Point under the same Inspection with that at Hunting-Town.]

And whereas there is not at present a fit and convenient House at the said Hunting-Town, Be it likewise Enacted, That the Justices of Calvert County Court for the Time being shall be, and they are hereby authorized, impowered and directed, to rent an House as convenient upon Hunting-Creek as they can procure one, to inspect Tobacco at, and store Tobacco in, for this present Year, or until the Warehouse directed by this Act to be built at Hunting-Town can be compleated; and also to provide Weights, Scales, and all other Conveniencies, such as are required to be procured at other Inspecting-Houses: And that the present qualified Inspectors, or their Successors, which have been chosen by the Vestry of Christ's Church Parish in Calvert County, shall be obliged to attend, for this present Year, at the Warehouse to be built at Plumb Point, as well as at the House to be rented upon Hunting-Creek, as above directed.

[A Warehouse to be rented at Hunting-Town, 'til one can be built.]

And whereas, by the before recited Act, a public Warehouse for Inspecting Tobacco is appointed to be at Tuckahoe Bridge, in Queen Anne's County, and as it is represented that a Warehouse is built there by Grundy Pemberton, for prizing Tobacco; and that there is a sufficient House for storeing Tobacco near and convenient thereto, tho' in Talbot County, and that the most commodious Place for a Landing near the said Bridge is in Talbot County, and very near to the said House last mentioned. Be it therefore Enacted, That the Justices of Queen Anne's County aforesaid are hereby authorized,

[Warehouse Wharff, &c., at Choptank Bridge.]

p. 481

impowered and required, as soon as conveniently may be, to contract with the said Grundy Pemberton, or any other Person, as the Case may require, for building a Wharff, erecting a Crane, letting the said House in Talbot County to the present or any future Inspectors, and making such Additions to the said Wharff, Crane, and House, as may from Time to Time become necessary; and to act and do every Thing required by the said Law, and in every Respect agreeable thereto, as if the said Wharff, Crane, and House in Talbot County, were in Queen Anne's County; any Thing therein contained to the contrary thereof in any wise notwithstanding. Liber B. L. C.

And whereas, notwithstanding the Endeavours of the Justices, agreeable to the Directions of the said Law, there is not as yet any Warehouse built or contracted for at Choptank Bridge, in Queen Anne's County, as by the said recited Law is directed: Be it Enacted by the Authority, Advice, and Consent aforesaid, That the Justices of Queen Anne's County are hereby impowered and required to proceed, by the last Day of August next, to the contracting for building a Warehouse at Choptank Bridge, in Queen Anne's County aforesaid; and a Wharff, Crane, and other Necessaries and Conveniencies required by the said Act, in such Manner and Form as by the said Act is directed, so as the said Warehouse, Wharff, Crane, and other Necessaries and Conveniences, may be ready for receiving, inspecting, and prizing Tobacco, by the first Day of April next; any Thing therein contained to the contrary thereof in any wise notwithstanding. [Justices of Queen Anne's County to contract for building the same.]

And in order to prevent any Doubt that may arise, whether any Person having taken upon himself the Office of an Inspector, hath a Liberty of resigning the same at his Pleasure; and to the End that the Evil attending such Construction may be avoided; Be it Enacted by the Authority, Advice, and Consent aforesaid, That no Inspector already appointed, or who shall be hereafter appointed, after taking upon himself or accepting of the Office of an Inspector, shall resign his said Office, or refuse to act therein, until the first Day of December yearly. [Inspectors not to resign until the first Day of December, yearly.]

And whereas it is represented to this General Assembly, that Major Hopkins, in the said recited Act named, is not willing to rent his House in Newport Town, in Worcester County, mentioned in the said Act, to the Inspectors; but that he has lately built another House of the same Dimensions, in the same Town, as conveniently situated, which he is inclinable to sell, with half an Acre of Land whereon it now stands. Be it therefore Enacted by the Authority, Advice, and Consent aforesaid, That it shall and may be lawful to and for the Justices of Worcester County, and they are hereby required, as soon as conveniently may be after the End of this present Session of Assembly, to purchase the said House, with the Lot whereon it now stands, for one of the public Warehouses of the [Warehouse at Newport.]

Liber B.L.C. said County; and to agree for the making a Wharff, Crane, Prizes, and all other Conveniencies relating thereto, to be paid for in the same Manner, as other Houses have been paid for, that were built in Consequence of the above recited Act.

And be it likewise Enacted, That the Justices of Prince George's County Court, or the major Part of them, shall and may, and they are hereby directed and impowered to rent one Warehouse to the last Day of November next, in any Part of Upper-Marlborough, for storing or inspecting Tobacco; for which Warehouse so rented, there shall be paid to the Owner thereof the Sum of twelve Pence current Money, for every Hogshead of Tobacco which shall be stored therein, during the Time aforesaid, to be paid by the Inspectors out of the Money arising by Virtue of the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

[Warehouse at Upper Marlborough.]

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And whereas, by the said recited Act, all Lawyer's Fees which should be paid in Inspected Tobacco, should be liable to the Abatement and Deduction of one fifth Part. Be it therefore Enacted by and with the Advice and Consent aforesaid, That every Lawyer or Attorney, at the Time of making out his or their Fees, shall make an Abatement and Deduction of one fifth Part of such Fee or Fees in their Accounts, and send the same out accordingly, under the Penalty of forfeiting such Fee or Fees to the Party chargeable therewith.

[Lawyers to make an Abatement of one Fifth in their Accounts of Fees.]

This Act to continue in full Force, for and during the Continuance of the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, and no longer.

[Continuance of this Act.]

June 23rd 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam: Ogle

The great Seal in wax appendant

23 June 1749
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl Up Ho.

No. 14 [Private Act.]

An Act for the cutting off the Entaile of Part of a Tract of Land called Hollands Choice lying in Ann Arundel County to Enable Jacob Holland to sell and Convey the same in Fee Simple and to Entail other Lands in Lieu thereof.

Whereas Jacob Holland of Ann Arundel County by his Humble Petition to this General Assembly hath set forth that he is seised in Fee Tail of and in Three Hundred and sixty Acres of Land being part of a Tract of Land called Hollands Choice lying in the said County devised by his Father Anthony Holland to him the said Jacob and others the children of the afsd Anthony Holland in Fee

Tail by Virtue of which Devise and by Purchase the Petitioner Liber B. L. C.
became Seized of the Three Hundred and sixty Acres of Land as
afs[d] And Whereas the said Jacob by his Petition afs[d] hath set forth
that being through Misfortunes reduced to the necessity of selling
the said Three Hundred and sixty Acres of Land and making and
conveying an Estate in fee simple in the same Prayed that an Act
might be made to cut off the Entail of the said Three Hundred and
Sixty Acres part of the Land called Hollands Choice as afs[d] in con-
sideration of Entailing other Lands of Equal Value in lieu thereof
And Whereas a certain Richard Gott Grandson of the Testator
Anthony Holland and Richard Holland Son and Heir of Thomas
Holland and one of the Devisees of the said Anthony together with
the said Jacob Holland being willing and desirous to Entail the fol-
lowing Tracts of Land to wit Bucks Contrivance containing One
Hundred and Seventeen Acres lying in Baltimore County the Addi-
tion to Gotts Hope containing one Hundred Acres lying in the said
County and part of Jericho containing One Hundred and twenty
acres lying in Prince George's County which said Lands upon due
Examination are found to be of Equal Value with the Land En-
tailed and they having an Estate in fee Simple in the same the Truth
of all which having been made appear to the Satisfaction of this
General Assembly It is therefore Humbly Prayed that it may be
Enacted Be it therefore Enacted by the Right Honourable the Lord
Proprietary by and with the Advice and consent of his Lordship's
Governor and the Upper and Lower Houses of Assembly and the
Authority of the same that the said Jacob Holland be and is hereby
Vested Seised and Possessed of and in all that the afs[d] Parcell of
Land called Holland's Choice containing Three Hundred and sixty p. 483
Acres with all and singular the Appurtenances thereunto belonging
as of an Estate in fee simple to him his Heirs and Assigns and to
the only proper use and Behoof of him the said Jacob Holland his
Heirs and Assigns for Ever any Devise Entail Limitation or other
matter or thing heretofore made or done to the contrary notwith-
standing And that he the same Jacob Holland and his Heirs be and
are hereby fully Enabled Authorized and empowered to Grant Bar-
gain Sell and Convey the same Land called Hollands Choice as afs[d]
in fee simple as if it had never been Entailed And that the Person
or Persons buying the same their Heirs or Assigns by Virtue of
such Grant Bargain Sale and Conveyance and this Act shall and
may have hold Possess and Enjoy the same Land to him or them
his or their Heirs or Assigns Respectively for Ever free and clear
of and from all Limitations conditions and Entails whatsoever of
the afs[d] Anthony Holland or of any other Person or Persons what-
soever claiming under the said Anthony Holland And be it further
Enacted that the said Tracts of Land called Bucks Contrivance con-
taining One Hundred and seventeen acres the Addition to Gott's

Liber B. L. C. Hope containing One Hundred Acres and One Hundred and twenty Acres of the afs[d] Part of Jericho with their and every of their Appurtenances shall be and are hereby Vested and Setled in Fee Tail upon the said Jacob Holland Richard Gott and Richard Holland Respectively and the Heirs of their Bodies Lawfully Begotten or to be begotten according to the true Intent and meaning of the last Will and Testament of the afs[d] Anthony Holland in Lieu and stead of the afs[d] Three Hundred and Sixty Acres part of Hollands Choice as afs[d] And be it likewise Enacted that the afs[d] Richard Holland or his Heirs shall at or before the tenth Day of March next ensuing cause a Survey to be made of One Hundred and twenty Acres Compact together out of his One Hundred and Eighty seven Acres part of Jericho aforesaid And the same Describe by course and Distance and declare under his or their Hands and Seals to be the One Hundred and twenty Acres part of the same Land setled in Fee Tail according to this Act and cause the same to be Recorded in the Records of Prince Georges County and the same shall and is hereby declared and Enacted to be a good and sufficient Record in Law to distinguish the said One Hundred and twenty Acres any Law Statute Usage or Custom to the Contrary in any wise notwithstanding And in case the said Richard Holland or his Heirs shall Neglect to cause such Survey to be made and a Certificate and Declaration to be entered of Record at or before the tenth Day of March next as herein before directed that then and in such case the said One Hundred and Eighty seven Acres part of Jericho the Estate of the said Richard Holland shall be and is hereby Vested in fee tail according to the Will of the said Anthony Holland and according to the Intent and meaning of this Act Saving to his Most sacred Majesty his Heirs and Successors the Right Honourable the Lord Proprietary his Heirs and Successors and all Bodies Politic and Corporate and all others not mentioned in this Act their several and Respective Rights.

June 23[d] 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo ho.

On behalf of the Right Hon[ble] the Lord Prop[ry] of this Province I will this be a Law
Sam: Ogle

The great Seal in wax appendant

23 June 1749.
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl Up Ho.

No. 15 p. 484 [Private Act.] An Act Impowering Certain Persons to Vend and Dispose of Lands in Somerset County whereof Woney McClemey died Seized in Fee for the Purposes therein mentioned

Whereas it is Represented unto this General Assembly by the Humble Petition of a certain Solomon Long of Somerset County Administrator of Woney McClemey late of the County afs[d] de-

ceased and Eleanor McClemey his Widow and Relict and sundry Liber B.L.C.
others the just Creditors of the afs[d] Woney McClemey that the said Woney McClemey died indebted unto several of the said Petitioners and others and left the said Eleanor his Widow and two Infant Daughters Elizabeth and Mary and was at the time of his Death Possessed of a small Personal Estate But died Seized in Fee Simple of and in Two Tracts of Land the one called Manlowes Venture containing One Hundred Acres the other called Volkans Forge containing also One Hundred Acres both situated in the said County of Somerset on the South side of Monokin River and on the North East side of a Neck of Land known by the Name of Indian Neck about a Mile in the Woods and also one other Tract or Parcel of Land called Friends Kindness containing one Hundred Acres lying in the County aforesaid on the Eastermost sidé of a Creek of Monokin called Trading Branch and on the South side of the aforesaid Tract of Land called Volcans Forge which said Tracts of Land are all Contiguous to each other and contain in the whole three Hundred Acres and forasmuch as it hath been made appear unto this General Assembly That the said Administrator hath in a due Course of Administration paid away unto some of the just and Legal Creditors of the deceased to the full amount of the said Personal Estate and that the said Woney McClemey was at his Death Really and Bona fide indebted unto the said Petitioners and others in a large amount of money and Tobacco the greatest Part whereof Running upon Interest and forasmuch as the said Minors to whom the said Lands have Descended are very Young by means whereof the Interest money afs[d] by the time such Infants may arrive at full Age will be a considerable Additional Burthen upon the said Real Estate and it appearing to this General Assembly not only Consistent with Justice and Equity that the Creditors aforesaid should be Satisfyed but likewise as it will be to the Benefit of the afs[d] Infants and not any sort prejudicial to the Widow to make Sale of the aforesaid Lands Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governor and the Upper and Lower Houses of Assembly and the Authority of the same That from and after the End of this Present Session of Assembly it shall and may be Lawfull for Colonel George Gale, Masters Nehemiah King, Ephraim Wilson, James Polke, Thomas Jones, Joseph Gillis and Marcey Fountain of Somerset County aforesaid or the Major part of them and they or the Major part of them are hereby directed and required on or before the first Day of May next in Public manner to Sell dispose of and Convey all and every the afs[d] Tracts of Land either Jointly or seperately as they or the Major part of them shall or may think proper in fee Simple in as full and Ample manner as the same Woney McClemey might or could have done in his life for the best Price that can be had for the same the Consideration of which said Sale or Sales they or the

Liber B. L. C. Major part of them are hereby Authorized and required to receive from such Purchaser or Purchasers and the same when so Received to pay unto the said Solomon Long Administrator as afs^{d} or other Legal Representative of the said Woney McClemey who is hereby
p. 485 authorized and directed to receive the same and thereof to Pay away and dispose in a Usual Course of Administration as in Case of Personal Assets towards the Satisfaction of the just Creditors of the said Deceased yet unpaid so farr as the afs^{d} Produce of such Sale or Sales shall Extend unto And if after the said Administrator or Representative as afs^{d} his having passed his Account in the Commissarys Office there shall remain any Surplus Money or Effects that then such Surplus shall be distributed and paid by the said Administrator or other Legal representative as afs^{d} in manner following that is to say one fourth part thereof to the afs^{d} Eleanor McClemey Widow and Relict of the said Woney McClemy as afs^{d} and the Remainder of such Surplus to be Equally divided between the afs^{d} Infants to be paid unto their Respective Guardian or Guardians Provided always that the afs^{d} Widow and the Guardian or Guardians of the said Infants Respectively as afs^{d} do and shall give such Security as usual to the said Administrator or Representative to refund in Case of Latent Debts Provided also that no Clause Expression or Construction of Warranty in the Conveyance or Conveyances aforesaid shall be made or deemed to bind such Vendors as aforesaid anything in such Conveyance or Conveyances or this Act contained to the contrary notwithstanding And be it Enacted by the Authority aforesaid by and with the Advice and Consent aforesaid That the same Security given by the said Solomon Long upon his taking out Letters of Administration to the said Woney McClemy shall stand as Security and be Construed deemed and taken to extend to his Duty of Administration under this Act any Law Usage or Custom any way to the Contrary notwithstanding Saving to his most Sacred Majesty his Heirs and Successors the Right Honourable the Lord Proprietary his Heirs and Successors and all Bodies Politic and Corporate and all others not mentioned in this Act their several and Respective Rights.

June 24th 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Hon^{ble} the Lord Prop^{ry} of this Province I will this be a Law
Sam: Ogle

The great Seal in wax appendant

24 June 1749
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl Up Ho.

No. 16 An Act to continue such Actions now depending in the Provincial Court, as by Law ought to have been determined in May Provincial Court, One thousand seven hundred forty and nine.

[Preamble.] Whereas the Provincial Court in Course was held on the third Tuesday of May, One thousand seven hundred forty and nine; and

by Means of the Assembly's Continuance, it was impracticable to finish all such Business in that Court, as by the Laws now in Being ought to have been then determined. Liber B.L.C.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all such Actions that depended in the Provincial Court on the aforesaid third Tuesday of May, being the Day to which Writs were returnable, and which would not bear a further Continuance, be and are hereby continued until the End of the next Provincial Court, to be held on the third Tuesday of October next; any Law, Usage, or Custom, to the contrary notwithstanding. [Actions in the Provincial Court of May last Continu'd to October Court.]

June 1. 1749
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam: Ogle

The great Seal in wax appendant

1 June 1749
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up Ho.

I hereby Certifie That Richard Burdus Clerk of the Provincial Court and of the Secretary's Office of the Province of Maryland this Day Personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary of the Province aforesaid his Council of State and made Oath on the Holy Evangels of Almighty God that he carefully Examined all the Laws contained in this Book beginning at Folio four Hundred and Sixty five and Ending at Folio four Hundred and Eighty five with the Original Acts that Passed the Great Seal p. 486

R Burdus

Sworn to this first day of August. Anno Dom. 1749 before me
D. Dulany

SEAL

The Seal of the Provincial Court is hereunto Affixed on behalf of Edmund Jenings Esqr Secretary of Maryland
pr R Burdus Clk Cur pvin & Secrys Office

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, May 8–June 2, 1750,
Being the Second Session of the Assembly Elected in 1749.

CHARLES CALVERT, LORD BALTIMORE,
Lord Proprietary,

SAMUEL OGLE,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the 8th day of May in the 36th year of his Lordships Dominion Annoq Dom. 1750

U. H. J. Liber No. 34 1750, May 8 p. 326

Present

His Excellency Samuel Ogle Esqr Governor

The Hoñble { Benjamin Tasker Esqr, Col. George Plater, Daniel Dulany Esqr } { Coł Edward Lloyd, Benedict Calvert Esqr }

Messrs King and Hooper from the Lower House acquaint his Excellency that there is a Sufficient Number of Members met to make a House and wait his Excellencys Commands

Coł Plater and Daniel Dulany Esqr are sent to the Lower house to acquaint the Speaker that his Excellency requires their immediate attendance in the Upper house

The Lower house attend and his Excellency is Pleased to make the following Speech

Gentlemen of the Upper & Lower houses of Assembly

It is with great Pleasure that I meet you at any time, as nothing is more agreeable to Me, than an Opportunity of concurring with you in any Measure for the Publick good: At present it gives me a Particular Satisfaction that I can congratulate you with so much Reason on the success of our Endeavours for the Advancement of our Staple.

At Our Meeting Last year I tooke Notice of the General Approbation our Inspection Law met with at home and expressed my Hopes, that a few years Experience would make it agreeable to every Body here, and I flatter myself that time will soon wear away the few Prejudices that may still Rémain against so very Useful, and indeed necessary a Law

But however Justly the several Regulations in this Law may be calculated for the Interest of the Planter, a great deal as I formerly Observed to you, must always depend upon the due Execution of it; therefore I cannot but earnestly recommend this again to your Consideration that the reasonable hopes We have of the future Pros-

U. H. J. Liber No. 34 May 8 perity of our Trade may not be in any degree frustrated by any want of Care, and Attention in ourselves

p. 327 As to my own Part you may be assured of my Sincere desire to Promote your Happiness in every respect: It is not only my Inclination but I Look upon it as my duty, and shall ever think myself happy in Proportion to the Benefit the Publick may reap from my Administration.

These are my real Sentiments and I can truly say that I never have recommended anything to you, but I Sincerely thought it for your Interest; even the three pence p̄ hogshead for Arms and Ammunition, which the duty of My Station must always Oblige me to press in a Particular manner, concerns the Government no further than as it is necessary for the Safety and Defence of the Province, which every man of Property in the Country is essentially interested in, thô the Inhabitants upon the Borders must always be Exposed to the most immediate danger; and it is certainly more Convenient to raise a Small Sum yearly, than to have Arms and Ammunition to provide upon a sudden Emergency, which no Man can tell how soon may happen

The other temporary Laws you will of Course take under your Consideration; and as I make no doubt of your good Disposition for the Publick Service I hope We shall Avoid all unecessary Disputes, and be able to give such Dispatch to Business as to make our Meeting not only advantageous but easy to the People

Mess^{rs} Lee & Wilson from the Lower house attend with, Mess^{rs} Bond, Key Barns & Mills, Members returned for S^{t} Marys County, and with Mess^{rs} Colvill and Hyland two of the Members returned for Cecil County, to see them qualified, who take the several Oaths to the Government required by Law repeat and Subscribe the Abjuration and Test & then withdraw

Adjourned till to Morrow Morning ten of the Clock

May 9 Wednesday Morning 9th of May 1750

This house met again according to Adjournment

Present as Yesterday with the Addition of Edmund Jennings & Richard Lee Esq^{r}

Benjamin Tasker Esq^{r} attended by the Members of this house presents to his Excellency their address which follows in these words

To his Excellency Samuel Ogle Esq^{r} Governor and Commander in Chief in & over the Province of Maryland

The humble Address of the Upper house of Assembly

May it Please your Excellency

U. H. J. Liber No. 34 May 9 p. 328

We return your Excellency our sincere & hearty thanks for your very kind and obliging Speech at the Opening of this Session

We have already experienced the good Effect of our Inspection Law, and are convinced, that Removing the few Prejudices to it, and guarding against the arts that have been used, or may be invented, to elude the force of it, will greatly contribute to establish the happiness of our Country upon a lasting foundation; and therefore We assure you of Our utmost care and greatest Attention to acomplish so desireable an End.

We acknowledge with the deepest sense of Gratitude, the Assurance you have given Us, of your Sincere desire to promote our Happiness in every respect, which we are fully satisfied, are the real Sentiments of Your Heart, and therefore it is incumbent on Us very Chearfully to concur with you in every Measure that may be necessary for the Safety & defence of this Province

We are determined to avoid all unnecessary disputes, and to do every thing in our Power to dispatch the publick Business which is certainly Our duty, and the undoubted Interest of every individual Man in Maryland

B Tasker President

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Message from the Lower house by Mess^{rs} Bond & Henry

By the Lower house of Assembly 9 May 1750

May it please Your Honours

This house hath appointed Major Sheredine, Major Barnes Col^{l} John Henry Captain Zachariah Bond and Col^{l} Colvill a Committee from this house to inspect the Accounts and proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly and desire your Honours to appoint One or more of the members of your house to Joyn in the said Committee

Signed p Order M Macnemara Cl^{k} Lo H°

Mess^{rs} Colvill & Hyland from the Lower house Attend with M^{r} James Baxter one of the Members returned for Cecil County, to see him Qualified who takes the several Oaths to the Government required by Law, repeats and subscribed the Abjuration and Test & p. 329 then withdraws

Adjourned till to Morrow Morning ten of the Clock

U. H. J. Liber No. 34 May 10

Thursday Morning 10th May 1750

This house met again according to Adjournment

Present as Yesterday

Messrs Hyland & Baxter from the Lower house Attend with Mr Henry Baker one of the Members returned for Cecil County to see him qualified who takes the several Oaths to the Government required by Law, repeats & Subscribes the Abjuration & Test & then withdraws

The Governor is pleased to communicate his Answer to the Address of this House, which Answer is as follows

Gentlemen of the Upper House of Assembly

I return you thanks for Your Obliging Address and the kind assurance you give of chearfully concuring in every Measure that may be necessary for the safety & defence of the Province, and as the several Parts of the Legislature seem to agree so well in their Sentiments of the Inspection Law, I hope We shall be able to bring it to such a Degree of Perfection as to establish the Trade & Prosperity of the Province upon the most solid and lasting Foundation

Sam: Ogle

The following Message is sent by Benedict Calvert Esqr

By the Upper house of Assembly 10 May 1750

Gentlemen

This house hath appointed Richard Lee Esqr to Joyn the Members named by your house in a Committee to inspect the Accounts & Proceedings of the Commissioners of the Paper Currency Office

Signed p Order Jno Ross Ct Up Ho

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock.

May 11

Friday Morning the 11th May 1750

This house met again according to Adjournment

Present as yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjourment

p. 330

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 12 May 1750 U. H. J. Liber No. 34 May 12

This house met again according to Adjournment

Present as yesterday & Samuel Chamberlain Esquire

Adjourned till Monday Morning ten of the Clock

Monday Morning the 14th May 1750 May 14

This house met again according to Adjournment

Present

The Honourable	Benjamin Tasker Esqr	Daniel Dulany Esqr
	Col George Plater	Richard Lee Esqr
	Samuel Chamberlain Esqr	Benedict Calvert Esqr

A Bill from the Lower house by Messrs Stoddard & Mackall Entituled An Act to remedy some Evils relating to servants, thus Endorsed

By the Lower house of Assembly 10 May 1750

Read the first time & Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 12 May 1750

Read the second time and will pass

Signed p Order M Macnemara Cl Lo Ho

Read the first time in this house and Ordered to lye on the Table

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning & Edmund Jenings Esqr

Read the Petition of Eleanor Owe & Eleanor Fearson of Charles County; Rejected

A Bill from the Lower house by Col King and Six others, Entituled An Act to prevent the Exporting of Trash or bad Tobacco; thus Endorsed

By the Lower house of Assembly 14th May 1750

Read the first & second time by a special Order and will Pass

Signed p Order M Macnemara Cl Lo Ho.

Read the first & second time in this house by especial Order & will Pass sent by Daniel Dulany Esqr

Adjourned till to Morrow Morning ten of the Clock p. 331

U. H. J.
Liber No. 34
May 15

Tuesday Morning 15 May 1750

This house met again according to Adjournment

Present as Yesterday

An Engrossed Bill from the Lower house by Mess[rs] Key & Henry Entituled an Act to prevent the exporting of Trash or bad Tobacco; thus subscribed

Read and assented to by the Lower house of Assembly
Signed p Order M Macnemara Cl Lo H.

Read and Assented to by this house & Ordered to be so subscribed, the Paper Bill so Endorsed is sent to the Lower house by Richard Lee Esq[r]

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning & Philip Thomas Esq[r]

Samuel Chamberlaine and Philip Thomas Esq[rs] are sent to the Lower house to acquaint them that his Excellency the Governor requires their immediate attendance in the Upper house to see the Bill Entituled an Act to prevent the exporting of Trash or bad Tobacco, receive the Assent

The Lower house attend and by their Speaker Present to his Excellency the following Bill Entituled an Act to prevent the Exporting of Trash or bad Tobacco, which his Excellency passed into a Law in the usual Form

Read the several following Petitions Viz. The Petition of George Catto and Araminta his Wife Executrix of William Alexander her former husband Praying Leave to bring in a Bill to sell a house and Lotts in the City of Annapolis belonging to the Estate of the said Alexander and the Money arising by such Sale to be Applyed towards the Payment of his Debts; The Petition of the Inhabitants of that part of the Indian Town in Worcester County that lies between Nassaongo Creek and Accongo Branch Praying that such Part of the Town may be annexed to the Parish of Alhallows in the said County; The Petition of the Rector Vestrymen Church wardens and several of the Parishioners of William and Mary Parish in Charles County praying that a Bill may be brought in to enable them to dispose of the Stock of Cattle & Swine belonging to the said Parish and the Money arising by such Sale to Apply towards enlarging and Repairing their Parish Church, and also that a quantity
p. 332 of Tobacco not exceeding Twenty Seven Thousand pounds may be Levyed upon the taxable Inhabitants of the said Parish towards building finishing and Compleating an Addition to the said Church; The Petition of the Rector & Vestrymen of Great Choptank Parish

in Dorchester County praying a Bill may be brought in empowering them to Lease the Remainder of the Church Land in Cambridge not pailed in for the Use & Benefit of the Parishioners The Petition of the Rector Vestrymen Churchwardens and others Inhabitants of S[t] Georges Parish in Baltimore County Praying a Bill may be brought in to Levy the sum of Twelve hundred Pounds Current Money to Purchase three acres of Land whereon to build a Church, and also to Purchase three acres of Land to build a Chappel of Ease, The Petition of sundry the Inhabitants Freeholders & Traders of Prince Georges and Charles Counties praying that the Warehouses at the Town of Nottingham and at Hannah Browns landing may be under Seperate Inspections, The Petition of the Justices & others Inhabitants of Kent County praying that a Bill may be brought in to levy on the Inhabitants of the said County the Quantity of Fifty Thousand Pounds of Tobacco to make the necessary Repairs and Enlargements to the Court house of the said County, The Petition of Several the Inhabitants of Baltimore County praying that a Bill may be brought in to annex twenty five Acres of Land Adjoining to Baltimore Town in the said County, and that the same may be deemed Part of the said Town, The Petition of the Rector Vestrymen and Church wardens of Queen Caroline Parish in Ann Arundel County praying that a Bill may be brought in to Levy twelve pence Current Money ꝑ Poll on the Taxable Inhabitants of the said Parish to build a Chappel of Ease, at a Place called Poplar Spring, The Petition of Grundy Pemberton of Queen Anns County Praying that the Warehouses belonging to him at Oxford in Talbot County may be deemed taken and used as Inspecting houses for the said County, The Petition of Several the Inhabitants of Talbot County praying that the houses belonging to M[r] Grundy Pemberton in Oxford may be used as an Inspection house in the same Manner as any other Warehouse appointed for that purpose is, or may be used; Referred to the Consideration of the Lower house of Assembly & Sent by Samuel Chamberlaine Esquire

U. H. J. Liber No. 34 May 15

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 16 May 1750 May 16

This house met again according to Adjournment

Present as Yesterday & Col. Hammond p. 333

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Mess[rs] Gordon & Heigh from the Lower house attend with M[r] Walter Dulany a Member rechose for the City of Annapolis, to see

U. H. J. Liber No. 34 May 16

him qualified, who takes the several Oaths to the Government required by Law, repeats & Subscribes the Abjuration and Test, and then withdraws.

Adjourned till to Morrow Morning ten of the Clock

May 17

Thursday Morning 17 May 1750

This house met again according to Adjournment

Present as Yesterday

Read the Petition of the Justices Grand Jury and others Inhabitants of Frederick County Praying an Allowance may be made by the Publick for building a Prison and Court house in the said County, The Petition of the Vestrymen Churchwardens and others Inhabitants in All Saints Parish in Frederick County praying that a Bill may be brought in to Levy one hundred Pounds Current Money on the Taxable Inhabitants of the said Parish towards finishing the Church in Frederick Town. The Petition of the Vestrymen Church wardens and others the Freeholders of All Saints Parish in Calvert County praying an Agumentation may be made to the Inspectors Salaries at Lower Marlbrorough in the said County. The Petition of the Vestrymen in Queen Anns Parish in Prince Georges County praying that a Bill may be brought in to Levy fifty Pounds upon the taxable Inhabitants of the said Parish towards new pailing the Chappel yard and building a small house with a fire place for the use of the Vestry; Referred and sent to the Lower house by Philip Thomas Esquire

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Seven Bills from the Lower house by Mess[rs] Lloyd & Hyland viz. An Act for the Tryal of all matters of fact in the several Counties where they have arisen or shall arise, A Bill Entituled An Act continuing an Act Entituled an Act to Prevent the ill Practices of Sheriffs in the Collecting and payment of the Publick and County Levies, A Bill Entituled an Act continuing an Act Entituled an Act for the better Relief of Poor Debtors, A Bill Entituled an Act for issuing Writts of Replevin out of the County Courts of this Province, A Bill Entituled An Act continuing An Act Entituled an Act for the Advancement of Justice

p. 334

A Bill Entituled An Act continuing An Act for the speedy Recovery of small Debts out of Court before a single Justice of the Peace, a Bill Entituled an Act Continuing an Act Entituled an Act

for relieving the Inhabitants of this Province from some aggrievances in the Prosecution of suits at Law and for continuing the Supplementary Act thereto; Severally thus subscribed U. H. J. Liber No. 34 May 17

By the Lower house of Assembly 14 May 1750

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Cl. Lo H.

By the Lower house of Assembly 17 May 1750

Read the second time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 18 May 1750 May 18

This house met again according to Adjournment

Present as yesterday

Read the Petition of Sophia Mudd of Charles County, Rejected

Read the second time the Bill Entituled An Act for issuing Writts of Replevin out of the County Courts of this Province and will not Pass, and the following Bills An Act continuing An Act Entituled An Act for the Advancement of Justice, and will Pass; The Bill Entituled an Act to prevent the ill Practices of Sheriffs in the collecting and Payment of the Publick & County Levies, and will pass with the following amendment from the Word, during in the last Line but two, to the End of the Bill to be Left out and the following incerted, for and during the term of three years and unto the End of the next Session of Assembly that shall happen after the End of the said three years, The Bill Entituled an Act continuing an Act Entituled an Act for relieving the Inhabitants of this Province from some aggrievances in the Prosecution of Suits at Law and for continuing the Supplementary Act thereto and will pass, sent to the Lower house by Benedict Calvert Esq[r]

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess[rs] Bond and Owings Entituled a Supplementary Act to the Act Entituled An Act for the Ease of the Inhabitants in examining Evidences relating to the Bounds of Land and of the manner of Obtaining Injunctions; thus Endorsed. p. 335

U. H. J. Liber No. 34 May 18

By the Lower house of Assembly 12 May 1750
Read the first time and Ordered to lye on the Table
Signed p Order M Macnemara Ct Lo. H.
By the Lower house of Assembly 18 May 1750
Read the second time and will pass.
Signed p Order M Macnemara Ct Lo H.
Read the first time in this house and Ordered to lye upon the Table
Adjourned till to Morrow Morning ten of the Clock

May 19

Saturday Morning 19 May 1750
This house met again according to Adjournment
Present as yesterday

Two Bills from the Lower house by Messrs Lloyd & Mills Viz. A Bill Entituled An Act to enable the Justices of Kent County Court for the time being to Levy on the taxable Inhabitants of the said County a Quantity of Tobacco for the Uses therein mentioned, A Bill Entituled an Act to enable the Vestrymen and Church Wardens of King and Queen Parish in Saint Marys County for the time being to sell a certain Tract of Land therein mentioned and to apply the Produce Money or Tobacco arising by such Sale towards the Purchase of another Piece of Land to be made a Glebe for the use of the Incumbent of that Parish and his successors; thus Endorsed,

By the Lower house of Assembly 17 May 1750
Read the first time and Ordered to Lye on the Table.
Signed p Order M. Macnemara Ct Lo H.
By the Lower house of Assembly 19 May 1750
Read the second time and will pass.
Signed p Order M Macnemara Ct Lo Ho.
Read the first time in this house and Ordered to Lye on the Table

Three Bills from the Lower house by Messrs Lee and Wilson Viz. A Bill Entituled an act empowering the Justices of Charles County Court to assess and Levy a sum of Tobacco and for other purposes therein mentioned A Bill Entituled an Act empowering the Justices of Prince Georges County to Levy on the Taxable Inhabitants of Queen Anns Parish in the said County fifty Pounds Current Money for the uses therein mentioned, A Bill Entituled an Act to enable the Justices of Baltimore County Court to assess & levy on the tax-
p. 336 able Inhabitants of St Georges Parish in that County a sum of Money for the Uses therein mentioned; thus Endorsed

By the Lower house of Assembly 19 May 1750
Read the first and second time by especial Order & will pass
Signed p Order M. Macnemara Ct Lo. H.
Read the first time in this house and Ordered to Lye on the Table.
Adjourned till Monday Morning ten of the Clock

Monday Morning 21st May 1750 U. H. J. Liber No. 34 May 21

This house met again according to Adjournment

Present

The Honourable { Benjamin Tasker Esqr, Col George Plater, Saml Chamberlaine Esqr, Daniel Dulany Esqr, Richard Lee Esqr, Benedict Calvert Esqr }

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning & Edmund Jenings Esqr

Read the first and second time the Bill prepared in this house Entituled an Act for the Sale of certain Lands and houses belonging to the free school in the City of Annapolis called King William School, and will pass sent to the Lower house by Benedict Calvert Esqr

Read the Petition of Joseph Hall of Calvert County praying an Allowance may be made him of the sum of sixty pounds for charge she was at in fitting out his Vessel in order to her being sent upon the Expedition to Canada; Rejected

Read the Petition of Several the Inhabitants of Frederick County Praying that a Town may be laid out near the mouth of Rock Creek in the said County; Rejected It not appearing to this house that the Persons Interested in the Land so intended to be laid out have Notice of this Application

Read the Petition of Alexander Cromwel of Ann Arundel County praying Leave to bring in a Bill to nominate and appoint some Person to sell the Lands of John Hammond deceased and out of the Money arising by such Sale to pay him a Proportionable part, he being entituled thereto by Virtue of his Marriage with Sarah one of the residuary Legatees of the said John Hammond; Rejected

Read the Petition of Elizabeth Trippe Widow of Henry Trippe praying leave to bring in a Bill to enable her to sell and dispose of the Lands of her late husband towards payment of his Debts; Rejected

Adjourned till to Morrow Morning ten of the Clock p. 337

Tuesday Morning 22d May 1750 May 22

This house met again according to Adjournment

Present as Yesterday and Col. Hammond.

Read the second time the Bill Entituled an Act for the Tryal of all matters of fact in the several Counties where they have arisen or

U. H. J. Liber No. 34 May 22

shall arise. The Bill Entituled an Act continuing an Act Entituled an Act for the Recovery of Small Debts out of Court before a Single Justice of the Peace. The Bill Entituled An Act continuing An Act Entituled an Act for the Better Relief of Poor debtors and will not pass, sent to the Lower house by Coł Hammond

Read the second time the Bill Entituled a supplementary Act to the Act Ent[d] An Act for the Ease of the Inhabitants in examining Evidences relating to the bounds of Lands and in the Manner of Obtaining Injunctions, and will not pass, The Bill Entituled an Act to Remedy some Evils relating to Servants and will pass the last clause but one being Left out, sent to the Lower house by Edmund Jenings Esq[r]

Read the Petition of Philip Cazear a Prisoner for Debt in Cecil County Gaol praying Relief, referred to the consideration of the Lower house, and sent by Coł Plater

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the morning

Read the Petition of Several the Inhabitants between the North East Fork & the North East Branch of Nanticoke River in Dorchester County and the Inhabitants of Nanticoke hundred in Worcester County Praying that a Parish may be made by the Name of S[t] Andrews Parish for the Ease of the said Inhabitants, The Petition of the Reverend M[r] James Sterling praying leave to bring in a Bill empowering him to convey two tracts of Land therein mentioned, Referred to the Consideration of the Lower house of Assembly, by Bened[t] Calvert Esq[r]

Two Bills from the Lower house by Mess[rs] Sheredine & Lecompte viz.

A Bill Entituled an Act continuing an Act Entituled an Act for the Gauge of Barrells for Pork, Beef Pitch Tar, Turpentine and Tare of Barrells for Flour or Bread; A Bill Entituled an Act to Oblige Oweners Overseers & Managers of Iron works to assist in repairing publick Roads; thus Endorsed

p. 338 By the Lower house of Assembly 18[th] May 1750

Read the first time and Ordered to Lye on the Table

Signed ꝑ Order M Macnemara Cł Lo H.

[By the Lower House of Assembly] 22 May 1750

Read the second time and will pass

Signed ꝑ Order M Macnemara Cł Lo H.

Read the first time in this house and Ordered to Lye on the Table

A Bill from the Lower house by Mess[rs] Paca and Bond Entituled An Explanatory Act to the Act Entituled An Act for the Direction of the Sheriffs in their Offices and restraining their ill Practices within this Province thus Endorsed U. H. J. Liber No. 34 May 22

By the Lower house of Assembly 18 May 1750

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl. Lo. Ho.

By the Lower house of Assembly 22 May 1750

Read the second time and will pass.

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and Ordered to Lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 23 May 1750 May 23

This house met again according to Adjournment

Present as Yesterday

Read the Petition of several of the Parishioners of Choptico Parish in S[t] Marys County praying Leave to bring in a Bill to Levy the Quantity of Sixty thousand pounds of Tobacco upon the Taxable Inhabitants of the said Parish towards purchasing a Piece of Land & building a Chappel of Ease for the use of the said Parish

Read the second time the following Bills Viz. The Bill Entituled an Act to enable the Justices of Baltimore County Court to assess & levy on the taxable Inhabitants of S[t] Georges Parish in that County a sum of Money for the Uses therein mentioned; The Bill Entituled an Act to Enable the vestrymen & Church Wardens of King and Queen Parish in St. Marys County for the time being to Sell a certain Tract of Land therein mentioned and to apply the Produce Money or Tobacco arising by such Sale towards the Purchase of an other Piece of Land to be made a Glebe for the Use of the Incumbent of that Parish and his successors; The Bill Entituled An Act empowering the Justices of Charles County Court to assess & levy a Quantity of Tobacco and for other purposes therein mentioned The Bill Entituled An Act empowering the Justices of Prince Georges County to levy on the Taxable Inhabitants of Queen Ann Parish in the said County fifty pounds Current Money for the uses therein mentioned, The Bill Entituled an Act to enable the Iustices of Kent County Court for the time Being to levy on the taxable Inhabitants of the said County a Quantity of Tobacco for the uses therein mentioned, and will pass, sent by the Lower house by Samuel Chamberlain Esq[r] p. 339

Read the second time the following Bills Viz. The Bill Entituled an Act for the direction of Sheriffs in their Offices and restraining

U. H. J. Liber No. 34 May 23

their ill Practices within this Province and will not pass, The Bill Entituled an Act continuing an Act Entituled an Act for the Gauge of Barrells, for Pork, Beef, Pitch, Tar, and Turpentine and Tare of Barrells for Flour or Bread, The Bill Entituled an Act to Oblige Owners Overseers and Managers of Iron Works to assist in Reparing Publick Roads; and will pass sent to the Lower house by Rich[d] Lee Esquire

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning & Philip Thomas Esq[r]

Four Bills from the Lower house by Mess[rs] Bordly & Oldham Viz. The Bill Entituled an Act to settle the Division between Frederick and Baltimore Counties and also between Dorchester & Worcester Counties, The Bill Entituled an Act impowering the Justices of Prince Georges County Court for the time being to treat and agree with an undertaker to Stop a Breach now made from the North west Branch of Patuxent River in said County across the main Road in Queen Ann Town in said County and to Levy on the Taxable Inhabitants thereof a sum of Money for the Purpose therein mentioned, The Bill Entituled an Act for the further Enlargement of Baltimore Town in Baltimore County The Bill Entituled an Additional Supplementary Act to the Act Entituled An Act for laying out & erecting a Town at a Place called Long Point on the West side of North East River in Cecil County, Severally thus Endorsed

By the Lower house of Assembly 22 May 1750

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara C[k] Lo. Ho.

p. 340

By the Lower house of Assembly 23 May 1750

Read the second time and will pass

Signed p Order M Macnemara C[k] Lo H.

Read the first time in this house and Ordered to lye on the Table.

The Bill prepared in this house Entituled an Act for the sale of certain Lands and houses belonging to the free school in the City of Annapolis called King William School, is brought from the Lower house by Mess[rs] Lux and Smith. thus Endorsed.

By the Lower house of Assembly 21 May 1750

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara C[k] Lo. H.

By the Lower house of Assembly 23 May 1750

Read the second time and will pass, with the following Clause being inserted after the word contained, in the 13[th] Line of the 2[d] Page Viz.

And Be it further Enacted by the Authority Advice and Consent af[d] that the Rector and Visitors of the said King William School shall and they are hereby Obliged and directed to Lay out the Money arising by the Sale of the said Land called Surveyors Forrest and the Lotts & Houses in the City of Annapolis at Interest on good Security for the use of the said Free School and that the annual Interest arising therefrom shall be Applyed towards the Payment of a Master or Masters or Usher of the said school and to no other use or Purpose whatever U. H. J. Liber No. 34 May 23

Signed p Order M Macnemara Cl Lo H.

Read in this house with the Amendment proposed, passed for Engrossing

Two Bills from the Lower house by Mess[rs] Stoddart & Wilmer Viz. A Bill Entituled an Act for the Relief of Philip Cazear a Languishing Prisoner in Cecil County Goal, a Bill Entituled a Supplementary Act to the Act Entituled an Act to impower the Justices of Queen Anns County Court to sell the Materials of the Old Prison of that County, and the produce thereof to apply as therein directed, thus Endorsed

By the Lower house of Assembly 22 May 1750

Read the first time and ordered to lye upon the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 23 May 1750

Read the second time and will pass.

Signed p Order M Macnemara Cl Lo. H°

Read the first time in this house and ordered to Lye upon the Table p. 341

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 24 May 1750 May 24

This house met again according to Adjournment

Present as Yesterday

Read the Petition of the Inspectors in Prince Georges County praying an Allowance may be made them for their extraordinary Attendance at the several Warehouses in the said County, as by the Supplementary Act to the Inspection Law, they are required, Referred to the Consideration of the Lower house of Assembly, and sent by Benedict Calvert Esq[r]

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the following Bills Viz. The Bill Entituled an Act for the Relief of Philip Cazear a Languishing Prisoner in

U. H. J. Liber No. 34 May 24

Cecil County Goal, The Bill Entituled an Act to settle the divisions between Frederick and Baltimore Counties and also between Dorchester & Worcester Counties, The Bill Entituled An Additional Supplementary Act to the Act Entituled an Act for Laying out & erecting a Town at a Place called Long Point on the West side of North East River in Cecil County The Bill Entituled a Supplementary Act to the Act Entituled an Act to impower the Justices of Queen Anns County Court to sell the Materials of the Old Prison of that County and the Produce thereof to Apply as therein directed, The Bill Entituled An Act to impower the Justices of Prince Georges County Court for the time being to treat and agree with an undertaker or undertakers to Stop a Breach now made from the North West Branch of Patuxent River in said County across the Main Road in Queen Ann Town in said County and to Levy on the Taxable Inhabitants thereof a Sum of Money for the purposes therein mentioned The Bill Entituled an Act for the further Enlargement of Baltimore Town in Baltimore County, and will pass, sent to the Lower house by Samuel Chamberlaine Esq[r]

Adjourned till to Morrow Morning ten of the Clock

May 25

Friday Morning 25 May 1750

This house met again according to Adjournment

p. 342

Present as Yesterday

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

May 26

Saturday Morning 26 May 1750

This house met again according to Adjournment

Present as Yesterday

Five Bills from the Lower house by Mess[rs] Waggaman & Traverse Viz. The Bill Entituled a Supplementary Act to the Act Entituled an Act for causing Grand and Petty Jurors and Witnesses come to the Provincial Courts and County Courts and ascertaining their Allowance, The Bill Entituled an Act continuing an Act for the Speedy & Effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer, A Bill Entituled an Act to License Hawkers Pedlars and

Petty Chapmen, A Bill Entituled An Act to Enable the Rector and Vestrymen of Great Choptank Parish in Dorchester County to lease some Lands belonging to the said Parish unimproved. A Bill Entituled An Act to enable George Catto of Cecil County Gentleman and Araminta his Wife Executrix of William Alexander late of the County aforesaid Gentleman her former husband deceased to Sell Lands; Severally thus Endorsed U. H. J. Liber No. 34 May 26

By the Lower house of Assembly 23 May 1750

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Cł Lo H.

By the Lower house of Assembly 25 May 1750

Read the second time and will pass.

Signed p Order M Macnemara Cł Lo Ho.

Read the first time in this house and Ordered to Lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning ten of the Clock

Monday Morning 28 May 1750 May 28

This house met again according to Adjournment

Present

The Honourable	Benjamin Tasker Esq^{r}	Samuel Chamberlaine Esq^{r}
	Coł George Plater	Daniel Dulany Esq^{r}
	Edmund Jenings Esq^{r}	Richard Lee Esq^{r}
	Coł Charles Hammond	Benedict Calvert Esq^{r}

p. 343

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Richard Lee Esq^{r} from the Committee appointed to inspect the Accounts and proceedings of the Commissioners of the Paper Currency Office brings in the following Report

Maryland ss.

At a Committee of Both houses of Assembly appointed to Inspect the Office and proceedings of the Commissioners for Emitting Bills of Credit established by Act of Assembly of this Province aforesaid May 12th 1750

U. H. J. Liber No. 34 May 28

Were Present

The Honourable Richard Lee Esq[r] of the Upper House

Major Thomas Sheredine
Major Abraham Barnes
Col[l] John Henry
M[r] Zachariah Bond
Col[l] Thomas Colvill
} of the Lower House

Who make Choice of the Honourable Richard Lee Esq[r] Chairman and Richard Dorsey Clerk; And agree to make the following Report

Your Committee having Carefully Inspected the State of the Office for Emitting the Paper Money Find, that there Remains of the £89990 a Ballance in the Iron Chest (as p the annext Account) of £553..1..11

Your Committee also find that there is still due from some of the Sheriffs mentioned in former Reports on Account of Ordinary Licences and the Publick assessments the following Sums Viz.

Edward Trippe Sheriff of Dorchester County	£112..15..10½
Benjamin Bradford late Sheriff of Cecil County	100..18.. 1
Richard Porter late Sheriff of Talbot County	83..11.. 0
	297.. 4..11½

And in May Session 1744 We find the following Report Viz.

p. 344 Your Committee Observe that there has been produced before them two Receipts to Edward Trippe Sheriff of Dorchester County for the years 1742 and 1743 Signed by William Ghislin late Clerk of the Loan Office for the sum of £112: 16: 0 by him Paid to the said Ghislin on account of the Publick Assessment & Ordinary Licences also two Receipts are produced from Benjamin Bradford Sheriff of Cecil County for £94: 4: 0 Signed as abovesaid by him paid to the Use abovesaid, for which sums We find no Credit given in the Books or Accounts of the Paper Currency Office

Your Committee Observe that there is a Ballance still due to the Office for Emitting the Paper Currency on Account of the Money Paid out of the said Office by Virtue of the several Acts of Assembly for raising and Transporting his Majestys Forces &[ca] (as p the following account) of £4436..17..9¼

D[r] The Office for Emitting the Bills of Credit established by Act of Assembly

To Money received by the Commissioners of the several Sheriffs for Publick Assessment by Virtue of the Act for encouragement of Persons Voluntarily Inlisting &c[a] made in the year 1740	963: 5: 5½

To Money received by Ditto of the several Naval Officers for a Moiety of the duty on Negroes and Liquors and of the Sheriffs for Ordinary Licences by Virtue of the Act of Assembly for raising & Transporting his Majestys forces &c. made same year	£4402.. 6..11¾	U. H. J. Liber No. 34 May 28
	£5365..12.. 5¼	

Cr

By Money paid the Agents appointed for issuing & paying the Bounty to the Soldiers	1650..00.. 0	
By Money paid the Agents for Raising and Transporting the Soldiers	3391..14..11	
Ballance due	323..16.. 6¼	
	£5365..12.. 5¼	

Dr The same Office

To the Ballance due on the Account for encouragement of Persons Voluntarily Inlisting & for Transporting his Majestys Forces as p the aforegoing Account	323..17.. 6¼	
To Money paid Several Sheriffs for Ordinary Licences	639.. 4.. 4	
Ballance due to be Replaced by Ordinary Licences	4436..17.. 9¼	
	£5399..19.. 8	

Cr

By paid the Agents for the Canada Expedition	4299..11.. 4	p. 345
By money paid the Agents for Purchasing Provisions for the Soldiers on same Expedition	1100.. 8.. 4	
	5399..19.. 8	

Your Committee find that of the several sums mentioned to be Due from the Several Sheriffs for Ordinary Licences in the Report of May Session 1748 the following Sums still appear to be due Viz.

Walter Hanson late Sheriff of Charles County	£23..15.. 0
John Paran late Sheriff of Calvert County	11..17.. 6
James Rigbie late Sheriff of Baltimore County	53..16.. 7½
John Risteau late Sheriff of same County	121..10.. 0
John Cooke late Sheriff of Prince Georges County	113.. 4.. 4½

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Samuel Hanson Sheriff of Charles County	12..11.. 9
Thomas Hungerford late Sheriff of same County	17.. 4.. 4½
Jacob Jones Sheriff of Kent County	4.. 3.. 1½
James Richard late Sheriff of Baltimore County	15.. 4.. 6
Henry Morgan late Sheriff of same County	26.. 2.. 6
Roger Boyce Sheriff of same County	8.. 6.. 3
John Smith late Sheriff of Cecil County	7.. 1.. 3
Joseph Belt late Sheriff of Prince Georges County	11.. 7.. 6
William Ma[u]duit late Sheriff of same County	7.. 2.. 6
Osborn Sprigg late Sheriff of same County	58.. 3.. 9
	£491..11.. 0

Your Committee Observe that there is due from the Sheriffs of the Several Counties on Account of Ordinary Licences Granted in the years 1748 and 1749 the sum of £534..12..0 as p the following Account Appears

Dr Roger Boyce Sheriff of Baltimore County

1748 To Ordinary Licence[s]	£35..12.. 6
1749 To Ditto	51..12.. 6
	£87.. 5.. 0
Cr By Commñ on £87..5s..0d	£4.. 7.. 3
Ballance	82..17.. 9
	£87.. 5.. 0

Dr John Gassaway Sheriff of Ann Arundel County

1748 To Ordinary Licences	£76..17.. 6
1749 To Ditto	92.. 5..10
	£169.. 3.. 4
Cr By Commñ on £169..3..4	£8.. 9.. 2
Ballance	160..14.. 2
	£169.. 3.. 4

Dr Robert Chesley Sheriff of St. Marys County

1749 To Ordinary Licences	£7..10.. 0
	£7..10.. 0

Cr By Comñ on £7..10..0	£0.. 7.. 6	U. H. J. Liber No. 34 May 28
Ballance	7.. 2.. 6	
	£7..10.. 0	

Dr John Dennis Sheriff of Somerset County p. 346

1749 To Ditto	16: 9.. 2
1748 to Ordinary Licences	£12:10: 0
Cr By Commñ on £28..19: 2	£1: 8: 4
By Money Paid	24..10..10
Ballance	3.. 0.. 0
	£28..19.. 2

Dr Thomas Lambden late Sheriff of Worcester County

1748 To Ordinary Licences	£15: 8: 4
1749 To Ditto	13:19: 2
	£29.. 7.. 6
Cr By Comñ on £29..7..6	£1.. 9.. 4½
By Money Paid	14..13.. 0
Ballance	13.. 5.. 1½
	£29.. 7.. 6

Dr Ennals Hooper late Sheriff of Dorchester County

1748 To Ordinary Licences	£15.. 0.. 0
1749 To Ditto	21.. 5.. 0
	£36.. 5.. 0
Cr By Comñ on £36..5..0	£1..16.. 3
Ballance	34.. 8.. 9
	£36.. 5.. 0

Dr William Thomas Sheriff of Talbot County

1748 To Ordinary Licences	£1..17.. 6
1749 To Ditto	20.. 0.. 0
	£21..17.. 6

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Cr By Comñ on £21..17..6	£1.. 1..10½
Ballance	20..15.. 7½
	£21..17.. 6

Dr Henry Hollyday Sheriff of Queen Anns County

1748 To Ordinary Licences	£2:10: 0
1749 To Ditto	41:17: 6
Cr By Comñ on £44: 7..6	£2.. 4.. 4½
By Money Paid	2.. 7.. 6
Ballance	39..15.. 7½
	£44: 7.. 6

Dr Jacob Jones Sheriff of Kent County

1748 To Ordinary Licences	£29.. 7.. 6
1749 To Ditto	31..13.. 4
	£61..00..10
Cr By Comñ on £61 : 00 : 10	£3..00.. 0½
By Money Paid	27..18.. 1½
Ballance	30..01.. 8
	£61..00..10

Dr John Smith late Sheriff of Cecil County

1748 To Ordinary Licences	£44:11: 8
	£44:11: 8
Cr By Comñ on £44: 11: 8	£2: 4: 6
Ballance	42.. 7.. 2
	£44:11.. 8

Dr Gilbert Ireland late Sheriff of Saint Marys County

1748 To Ordinary Licences	£7:10: 0
	£7..10.. 0
Cr By Comñ on £7: 10..0	£0.. 7.. 6
By Money paid	4..15.. 0
Ballance	2.. 7.. 6
	£7..10.. 0

Quere

Whether any Ballance due on this Account there being a difference of One Ordinary Licence between the Sheriff & Clerks Account

U. H. J. Liber No. 34 May 28

D^r Michael Earle Sheriff of Cecil County

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1748 To Ordinary Licences	£5: 0: 0
	£5.. 0.. 0
C^r By Comñ on £5	£0: 5.. 0
Ballance	4..15.. 0
	£5.. 0.. 0

D^r Gabriel Parker late Sheriff of Calvert County

1749 To Ordinary Licence	£5.. 0.. 0
	£5.. 0.. 0
C^r By Comñ on £5..0..0	£0.. 5.. 0
Ballance	4..15.. 0
	£5.. 0.. 0

D^r John Scarborough Jun^r Sheriff of Worcester County

1749 To Ordinary Licences	£3:15: 0
	£3..15.. 0
C^r By Comñ on £3..15..0	£0.. 3.. 9
Ballance	3..11.. 3
	£3..15.. 0

D^r John Thomas late Sheriff of Frederick County

1749 To Ordinary Licences	£36.. 9..10
C^r By Comñ on £36: 9..10	£1..16.. 6
Ballance	34..13.. 4
	£36.. 9..10

D^r Osborn Sprigg late Sheriff of Prince Georges County

1749 To Ordinary Licences	£40: 4: 2
	£40: 4: 2

U. H. J. Liber No. 34 May 28	Cr By Comñ on £40..4..2	£2: 0: 2½
	Ballance	38.. 3..11½
		£40.. 4.. 2

Your Committee further Observe that the Clerk of Prince Georges County Court has not Returned a List of the Ordinary Licences Granted in that County in the year 1748, and that the Clerks of Cecil and Charles Counties have not returned Lists of the Ordinary Licences in the year 1749 for want of which Lists we cannot ascertain the sums due from the Sheriffs of said Counties on account of Ordinary Licences aforesaid in those years

Your Committee find by the Books of the Paper Currency Office that the Commissioners of the said Office have paid the Justices of the several Counties and Commissioners of Charles Town the following sums, on Account of the Act for amending the staple of Tobacco &c. Viz.

	Ann Arundel County	357.. 9..11½
	Talbot County	446..13..11
	Queen Anns County	252.. 1.. 9
	Charles County	279.. 7.. 7
	Calvert County	144..10.. 9
	Kent County	368..15..10
p. 348	Worcester County	310.. 0.. 0
	Somerset County	600..00.. 0
	Prince Georges County	382.. 5.. 8
	Dorchester County	460.. 2.. 7½
	Baltimore County	155.. 9.. 9
	Cecil County	100.. 0.. 0
	Saint Marys County	251..10.. 0
	Commissioners of Charles Town	60.. 0.. 0
		£4168.. 7..10

All which is Submitted to the Consideration of Both Houses of Assembly this 28th day of May 1750 by

Richard Lee — John Henry
Abram Barnes — Thos Colvill

Memorandum

Money paid into the Office by the following Sheriffs for Ordinary Licence since the Closing Books viz.

Robert Chesley Sheriff of St. Marys County	£7: 2: 6	U. H. J. Liber No. 34 May 28
Michael Earle Sheriff of Cecil County	40: 0: 0	
Henry Hollyday Sheriff of Queen Anns County	39..15.. 8	
Bartholomew Ennals Sheriff of Dorchester County	2..15.. 5	
William Thomas Sheriff of Talbot County	20..15.. 7½	
Jacob Jones Sheriff of Kent County	30.. 1.. 8	
John Dennis Sheriff of Somerset County	9..10.. 0	
Gabriel Parker late Sheriff of Calvert County Paid by his Exᵉʸ	4..15.. 0	
John Scarborough junʳ Sheriff of Worcester County	3..11.. 3	
John Cook late Sheriff of Prince Georges County	64.. 2.. 6	
	222.. 9.. 7½	
Money paid by the Justices of Kent County on Account of the Inspection Law	81.. 7.. 3	

Dʳ The Office for Emitting the Paper Currency

To Ballance of a former Account Stated the 17th May 1748	£3947.. 6.. 0¾	
To Principal Money Paid to the Office on Loans from the 10th of April 1748 to the 10th of April 1750	1866.. 6.. 4	
To Interest Money Paid into Ditto same time	782: 6:11½	
To Money Paid into Ditto for Ordinary Licences	607.. 9..11¾	
	£7203: 9: 4	

Cʳ

By Money Lent on Interest between 10th Apʳ 1748 & 10th Apʳ 1750	£1165..15.. 4	
By Money Paid Queen Anns County Goal	500..00.. 0	
By Money Paid the several Counties on accoᵗ of the Inspection law	4168..07..10	
By Ditto for Commissioners and Clerks Sallarys	640..00.. 0	
By Ditto for Expences of the Office as ꝑ Account of Particulars	176.. 4.. 3	
By Ballance of Coined or Signed Money now remaining in the chest	553.. 1..11	
	£7203.. 9.. 4	

Particulars of Office Expences Referred to in the above Account p. 349
Viz.

Paid Richard Dorsey for a Quarter year Cleaning the Office &c.	£2:00: 0
Paid Ditto for Wood &c as ꝑ account	2:00.. 6
Paid Simon Duff for making a Press for the Office & finding Materials	4:04: 6

U. H. J. Liber No. 34 May 28

Paid Mary Hammond Ex^{r} of Nicholas Hammond for three Pen knives bought of her husband for the Office	0:07: 6
Paid for Carting a Chest of New Money that came in Captain Wood	0:02: 0
Paid Richard Dorsey for a Quarter year Cleaning the Office &c.	2:00: 0
Paid Edmund Jenings Esq^{r} for Secretarys fees as ꝑ Account	30:02: 9
Paid William Steuart for Writing the words New Bill, and dating 140 Books for Sinking the Old Money	17:10: 0
Paid William Roberts for 1 Ream of Paper for the Office	3:00: 0
Paid James Dick for 27 Quires Ditto for Ditto	3..07.. 6
Paid Simon Duff for making a Hatch door for the Office & finding Materials	0:14: 6
Paid Stephen Bordly for Attorneys fees as ꝑ Account	47..00.. 0
Paid for Writing the Words, New Bill, & dating 14 Books New Money	1..15.. 0
Paid Jonas Green for Printing 45 Quires of Bills of Exchange	9..00.. 0
Paid Beal Nicholson for writing the words New Bill, & dating 10 Books new Money	1:05.. 0
Paid Edward Rumney for Smiths Work done to the Office	0:09.. 6
Paid Richard Dorsey for Cleaning the Office for Wood & other necessarys	4:13.. 6
Paid William Steuart for writing the words, New Bill, and dating 8 Books New Money	1:00: 0
Paid John Raitt for two Account Books for the Office.	4:06: 0
Paid William Steuart for two Copies of the Act for Emitting Bills of Credit sent to the Trustees in London	4:00: 0
Paid Richard Dorsey for a Quarter year Cleaning the Office and for Wood and other necessarys	7..13.. 0
Paid Jonas Green for Printing Advertizements by the directions of the Commissioners	1:05.. 0
Paid Richard Dorsey for half a years Cleaning the Office and for Baggs and other necessarys	6:06: 0
Paid Captain Wood for Primage of the Paper Money brought in for sinking the Old Money	5:00: 0
Paid Richard Dorsey for Cleaning the Office	2:00: 0

Paid Edward Dorsey for Attorney fees as ꝑ Account.	10..00: 0	U. H. J. Liber No. 34 May 28
Paid Richard Dorsey for a Quarter a year Cleaning the Office &c and for Wood and Other Necessarys	3:13.. 0	
Paid Jonas Green for Printing Advertisements Relating to the Payment of Interest on Office Bonds	1: 9: 0	
	£176.. 4.. 3	

Dr The Office for Emitting the Paper Currency p. 350

	£ s d
To Principal money Paid into the Office ꝑ Report in the year 1744	14033:13: 2
To Ditto as ꝑ Report in the Year 1745	2475:00: 0
To Ditto as ꝑ Report in the Year 1747	4472:11: 0
To Ditto as ꝑ Report in the Year 1748	2017:04: 0
To Ditto as ꝑ Report in the Year 1750	1866:06: 4
	24864:14: 6
Ballance of Principal Money now at Interest	16778:14: 1
	£41643..08: 7

Cr

By Principal Money Lent on Interest	£30983:11.. 8
By Ditto 1745	3592:00: 0
By Ditto 1747	3562:14: 6
By Ditto 1748	2339:07: 1
By Ditto 1750	1165:15: 4
	£41643:08: 7

Read the second time the following Bills Viz. The Bill Entituled An Act to License, Hawkers, Pedlars, and Petty Chapman and will not pass. The Bill Entituled a Supplementary Act to the Act Entituled An Act for causing Grand and Petty Jurors an Witnesses to come to the Provincial an County Courts an ascertaining their allowance and will not Pass, The Bill Entituled An Act to Enable the Rector & Vestrymen of Great Choptank Parish in Dorchester County to lease some Land belonging to the said Parish unimproved, and will pass, sent to the Lower house by Samuel Chamberlaine Esqr

Adjourned till to Morrow Morning ten of the Clock

U. H. J. Liber No. 34 May 29

Tuesday Morning 29 May 1750

This house met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled an Act continuing an Act for the Speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer and will pass sent to the Lower house by Col Hammond

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

p. 351 Three Bills from the Lower house by Mess[rs] Smalwood & Sullyvan Viz The Bill Entituled an Act to destroy Squirrels and Crows in the several Countys therein mentioned. The Bill Entituled An Act impowering the Rector Vestrymen and Church Wardens of Queen Caroline Parish in Ann Arundel County for the time being to purchase one hundred acres of Land and thereunto Build a Chappel of Ease in the said Parish and to empower the Justices of the said County to Levy on the Taxable Inhabitants of the said Parish the sum of Twelve Pence Current Money Yearly by three annual assessments for the uses therein mentioned. The Bill Entituled An Act to Enable the Justices of Frederick County to Levy a sum of Money on the Taxable Inhabitants of All Faiths Parish in the said County; and for the building a Chappel of Ease in King and Queen Parish in S[t] Marys County and for other purposes therein mentioned; Severally, thus Endorsed

By the Lower house of Assembly 28 May 1750

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 29 May 1750

Read the second time and will pass.

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and Ordered to lye on the Table

Read the Petition of the Vestrymen Churchwardens & several of the Inhabitants of Durham Parish in Charles County Praying that a Bill may be brought in to Levy Twenty Thousand Pounds of Tobacco on the taxable Inhabitants of the said Parish towards improving of the Glebe therein, Referred to the Consideration of the Lower house of assembly & Sent by Richard Lee Esq[r]

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 30 May 1750 U. H. J. Liber No. 34 May 30

This House met again according to Adjournment

Present as Yesterday

The Journal of the Committee of Accounts is brought from the Lower House by Mess[rs] Wootton and Goldsborough; thus Subscribed 30 May 1750

Read and Assented to by the Lower house of Assembly

Signed p Order M. Macnemara Cl. Lo H.

The following Message is sent to the Lower house with the Journal of Accounts by Edmund Jenings Esq[r] p. 352

By the Upper house of Assembly 30 May 1750

Gentlemen

We find you have taken no notice of the several Allowances This house by their Message of the 24[th] June in the last Session, and other former Messages insisted to be made and also that you have not mentioned the allowances due to the Councillors Sitting in Council and in a Court of Appeals, nor the Salary of the Clerk of the Council for three years Past and that you have only allowed part of the Secretarys fees

These Omissions prevent this house from passing the Journal

Signed p Order John Ross Cl Up H.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bills following viz. The Bill Entituled An Act to destroy Squirrells and Crows in the several Counties therein mentioned The Bill Entituled An Act impowering the Rector Vestrymen and Churchwardens of Queen Caroline Parish in Ann Arundel County for the time being to purchase one acre of Land and thereon to build a Chappel of Ease in the said Parish and to impower the Justices of the said County to Levy on the Taxable Inhabitants of the said Parish the sum of Twelve pence Current Money yearly by three annuall assessments for the uses therein mentioned. The Bill Entituled An Act to enable the Justices of Frederick County to Levy a sum of Money on the Taxable Inhabitants of All Faiths Parish in said County and for the building a Chappel of Ease in King and Queen Parish in S[t] Marys County and for other Purposes therein mentioned and will pass; sent to the Lower house by Col Plater

Read the second time the Bill Entituled An Act to enable George Catto of Cecil County Gentleman and Araminta his Wife Executrix

U. H. J. Liber No. 34 May 30 p. 353

of William Alexander late of the County aforesaid Gentleman on her former husband deceased to sell Lands & will Pass with the following Amendments, between the words, Alexander, and, that in the 10th Line put, which Marriage settlement was dated the 25th July 1738, in the 19th Line after the word, Interest, put, antecedent to the 21st of July 1738 aforesaid, Leave out the words after, Consideration, in 7 Line of the 2d Page to the word, shall in the 8th Line, after the word Office in the 11 Line, put, antecedent to the 25 of July 1738 afd after the word them, in the 12th Line, to the word, retained, in the 14th Line to be Left out sent to the Lower house by Benedict Calvert Esqr

Two Bills from the Lower house by Messrs Barnes and Lux Viz. The Bill Entituled An Act for the better Preservation of the Breed of Wild Deer and preventing unlawful Hunting The Bill Entituled a supplementary Act to the Act Entituled An Act for amending the Staple of Tobacco for preventing frauds in his Majestys Customs and for Limitation of Officers fees; thus Endorsed.

By the Lower house of Assembly 26 May 1750

Read the first time & Ordered to Lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 30 May 1750

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

May 31

Thursday Morning 31 May 1750

This house met again according to Adjournment

Present as Yesterday & Col Lloyd

Four Bills from the Lower house by Messrs Sheredine & Mackall Viz. A Bill Entituled An Act to prevent the Clandestine Importation of Rum and Spirits into this Province. A Bill Entituled An Act to Preserve the Honour and Independency of the House of Delegates. A Bill Entituled an Act settling the Value of Foreign Gold and Silver Coin within this Province A Bill Entituled a supplementary Act to the Act Entituled An Act ascertaining the height of Fences to prevent the Evil occasioned by the Multitude of Horses p. 354 & Restraining horse Rangers within this Province and to redress the great Evil accruing to this Province by the Multiplicity of Useless horses Mares and Colts that run in the Woods; thus Endorsed.

By the Lower house of Assembly 30 May 1750

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 31 May 1750 U. H. J. Liber No. 34 May 31
Read the second time and will pass
Signed p Order M Macnemara Cl Lo H.
Read the first time in this house and Ordered to Lye on the Table
Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entituled a supplementary Act to the Act Entituled an Act for amending the Staple of Tobacco, for preventing frauds in his Majestys Customs, and for the Limitation of Officers fees, and will pass with the following Amendments, Page 1st Line 15th Instead of the words to the Use of the Publick School of the County where the Offence shall be Committed, put to the Lord Proprietary for the Support of Government, Page 2d Line 4th instead of the words to the use of the Publick school of the County where such Inspection house shall be, put, to the Lord Proprietary for the support of Government, In the same Page Line 5th leave out the Proviso begining at the word And to the word Inspector, in the 8th Line and insert the following Provided nevertheless that notwithstanding One Inspector shall only Act as aforesaid yet that Both the Inspectors and their Bonds shall be Lyable in the same manner as if Both the Inspectors, had Acted, In the same Page Line 17th after the word, officiated, to the word Offence, in the 8th Line of the 3d Page, to be left out, In the 5th Page Line 4th after the word, same, to the word notwithstanding in 3d Line of the 6th Page to be left out, In the 6th Page Line 6th between, notwithstanding and, and Insert the following words, and which said Inspector or Inspectors, so to be Chosen and accepting the Office shall not resign his said Office or Refuse to Act therein untill the first day of September Yearly.

In the 7[th] Page Line 6th Leave out the words Many or any Commodity whatsoever on Commission or otherwise or to buy or Pur- p. 355
chase any and Leave out the words in the next Line, with any Goods Merchandize or money, from the word Office, in the 8th Line to the word under in the 11th Line to be Left out, in the 13th Line after the word County, leave out to the End of the Page and insert the following words, in the due Execution of the first recited Act, In the 9th Page Line 16th Leave out the words where such Offence shall be committed, and put the following in the due Execution of the first recited Act In the 10th Page Line 1st from the words, and whereas to the words, as aforesd in the 22 Line to be Ommitted, In the 12th Page Line 8th Instead of the Word, Ten put Twenty and the words, to the County school where such Prosecution shall be commenced

U. H. J. Liber No. 34 May 31

to be Left out and the following inserted, to the Lord Proprietary for the Support of Government, In the 13th Page after the word Enacted, in the first Line to the word that, in the 3d Line to be left out in the 8th Line after the word appears, to the word, That, in the 9th Line to be left out, in the 10th Line Leave out the word also, in the 11th Line after the word Enacted, to the word that, in the 13th Line to be omitted, Leave out from the word notwithstanding in the 16th Line, to the words the same, in the 4th Line of 14th Page. In the 14th Page Line 7th The word reduced, to be augmented, In the 17th Page Line 10th after the word, Annum to the word any in the same Line to be Left out, In the 14th Line after the word Inspector to the word Inspector in the 20th Line to be Left out, and the following inserted, And Be it Enacted that notwithstanding the suppression of the Warehouse on Maggothy River The Salarys of Fifty pounds p Annum to Each Inspector shall be Paid and Allowed to the Inspectors at Indian Landing Warehouse on Severn River, In the 23 Line after the word them, to the word Inspector, in the 25th Line to be left out; Sent to the Lower house by Saml Chamberlain Esqr

Messrs Sheredine and Paca from the Lower house Attend with Mr William Smith a Member elected for Baltimore County in the Room of Mr George Buchanan deceased, to see him qualified, who takes the Several Oaths to the Government required by Law, repeats & Subscribes the Abjuration and Test and then withdraws

Adjourned till to Morrow Morning ten of the Clock

June 1

Friday Morning 1st June 1750

This house met again according to Adjournment

Present as Yesterday

Read the second time the Bills following Viz. A Bill Entituled
p. 356 An Act for the better preservation of the Breed of Wild Deer, and preventing unlawful Hunting, and will pass with the following amendments, in Page the 1st Leave out the words in the 5th Line after, whereas, to the word, It, in 7th Line, in 2d Page, Line 13th after the word, prosecuted Leave out to the Word And, in 2d Line of 3d Page, Leave out from the word, The, in 8th Line of 3d Page to the word happen, in the 9th line and insert the following, to the Lord Proprietary for the Support of Government. A Bill Entituled a Supplementary Act to the Act Entituled an Act ascertaining the height of Fences to prevent the Evil occasioned by the Multitude of Horses, and Restraining Horse Rangers within this Province and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses Mares and Colts that run in the woods, and will Pass the words, hath or, in the first Line of the last Page being

left out. A Bill Entituled an Act setting the Sterling Value of Foreign Gold and Silver Coin within this Province and will pass, A Bill Entituled An Act to preserve the honour and Independency of the House of Delegates, and will not Pass, A Bill Entituled An Act to prevent the Clandestine Importation of Rum & Spirits into this Province and will not pass, sent to the Lower house with the following Message by Col Hammond U. H. J. Liber No. 34 June 1

By the Upper house of Assembly 1st June 1750

Gentlemen

We wish some Law could be made effectual for preventing Clandestine Importations of Rum from Pensilvania, but as we cannot apprehend the Bill sent Up from your house would be Proper and Answer that design We have returned it with a Negative, and hope another more effectual Bill may be framed in another Session

Signed p Order John Ross Cl Up H.

A Bill from the Lower House by Messrs Wilmer & Smith Entituled An Act to impower James Sterling Rector of St Pauls Parish in Kent County to Convey two Tracts of Land the one called Huddles Right the other called Rushmore lying in Kent County afd thus Endorsed

By the Lower house of Assembly 30 May 1750

Read the first time and Ordered to Lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 1st June 1750

Read the second time & will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and Ordered to Lye on the Table p. 357

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Message from the Lower house by Messrs Sprigg and Others

By the Lower house of Assembly 1 June 1750

May it please Your Honours

On considering the Amendments proposed by your Honours to the Bill Entituled "A supplementary Act to the Act Entituled An Act for Amending the Staple of Tobacco for preventing frauds in his Majestys Customs and for the Limitation of Officers fees" This house have agreed to the following Viz. That in Page the 2d Line the 17th after the word Officiated, to the word, Offence, in the 8th Line of the 3d Page may be left out; in the 5th Line Page the 4th after the word same, to the word, notwithstanding, in the 3d Line

U. H. J. Liber No. 34 June 1

of the 6th Page may be left out; In the 10th Page Line the 1st from the words, And Whereas, to the words, as aforesaid, in the 22d Line may be omitted; In the 12th Page Line the 8th instead of the word, Ten, We agree it should be made, Twenty, We also agree to the amendmond Proposed to be inserted in the 6th Line of the 6th Page Viz And which said Inspector or Inspectors to be Chosen and accepting the Office shall not resign his said Office or Refuse to Act therein untill the first day of September yearly " with this alteration, put, December, instead of Septemr

But as to any other the amendments proposed by your Honours to be made to that Bill We cannot agree thereto, and therefore have sent the Bill herewith for your further consideration

Signed p Order M Macnemara Ct Lo. H.

Twenty Three Engrossed Bills from the Lower house by Messrs Stoddart and Selby Viz. A Bill Entituled An Act to prevent the ill Practices of Sheriffs in the collecting and payment of the Publick and County Levies. A Bill Entituled An Act continuing An Act Entituled An Act for Relieving the Inhabitants of this Province from some aggrievances in the Prosecution of the suits at Law and for continuing the supplementary Act thereto. A Bill Entituled An Act continuing an Act Entituled an Act for the Advancement of Justice. A Bill Entituled An Act to remedy some Evils relating to Servants

A Bill Entituled an Act to Enable the Justices of Kent County Court for the Time being to Levy on the Taxable Inhabitants of the said County a Quantity of Tobacco for the Uses therein mentioned. A Bill Entituled an Act to enable the Justices of Baltimore County Court to assess & levy on the taxable Inhabitants of St Georges Parish in that County a sum of Money for the uses therein mentioned. A Bill Entituled An Act impowering the Justices of Charles County Court to assess and Levy a Quantity of Tobacco and for other purposes therein mentioned. A Bill Entituled an Act impowering the Justices of Prince Georges County to Levy on the taxable Inhabitants of Queen Anns Parish in the said County fifty pounds Current Money for the uses therein mentioned. A Entituled An Act continuing An Act Entituled an Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour and Bread a Bill Entituled An Act for the further Enlargement of Baltimore Town in Baltimore County. A Bill Entituled an Additional Supplementary Act to the Act Entituled an Act for laying out and erecting a Town at a Place called Long Point on the West side of North East River in Cecil County. A Bill Entituled An Act to settle the Divisions Between Frederick and Baltimore Counties and Also between Dorchester and Worcester Counties. A Bill Entituled An Act to Oblige Owners Overseers and Managers of Iron works to assist in Repairing Publick Roads. A

p. 358

Bill Entituled An Act impowering the Justices of Prince Georges County Court for the Time being to Treat & agree with an Undertaker or undertakers to Stop a Breech now made from the North West Branch of Patuxent River in said County across the Main Road in Queen Ann Town in said County and to Levy on the Taxable Inhabitants thereof a Sum of Money for the Purpose therein mentioned. A Bill Entituled a Supplementary Act to the Act Entituled an Act to impower the Justices of Queen Anns County Court to sell the materials of the Old Prison of that County and the Produce thereof to apply as therein mentioned. A Bill Entituled an Act to enable the Vestrymen and Churchwardens of King and Queen Parish in S[t] Marys County for the Time being to sell a certain Tract of Land therein mentioned and to apply the Produce Money or Tobacco arising by such Sale towards the purchase of an other piece of Land to be made a Glebe for the use of the Incumbent of that Parish & his Successors. A Bill Entituled an Act for the Relief of Philip Cazear a Languishing Prisoner in Cecil County Goal. A Bill Entituled An Act to enable the Rector and Vestrymen of Great Choptank Parish in Dorchester County to Lease some Lands belonging to the said Parish unimproved. A Bill Entituled An Act continuing An Act Entituled, An Act for the Speedy and Effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer. A Bill Entituled An Act to Enable the Justices of Frederick County to Levy a sum of Money on the Taxable Inhabitants of All Faiths Parish in the said County and for other purposes therein mentioned & for the Building a Chappel of Ease in King and Queen Parish in S[t] Marys County and for other Purposes therein mentioned. A Bill Entituled An Act to Encourage the destroying of Squirrels and Crows in the several Counties therein mentioned. A Bill Entituled An Act impowering the Rector Vestrymen and Church wardens of Queen Caroline Parish in Ann Arundel County for the Time being to Purchase One Acre of Land and thereon to build a Chappel of Ease in the said Parish and to impower the Justices of the said County to Levy on the taxable Inhabitants of the said Parish the sum of twelve Pence Current Money by three Annual Assessments for the Uses therein mentioned. A Bill Entituled An Act to enable George Catto of Cecil County Gentleman and Araminta his Wife Executrix of William Alexander late of the County aforesaid Gentleman her former husband deceased, to Sell Lands; thus Subscribed, 1 June 1750

U. H. J. Liber No. 34 June 1

p. 359

Read and Assented to by the Lower house of Assembly
Signed p Order M Macnemara Cl Lo Ho.

Read and assented to by this House, and Ordered to be so Subscribed, the paper Bills, so endorsed are sent to the Lower house by Sam[l] Chamberlain Esq[r]

Adjourned till to Morrow Morning ten of the Clock

U. H. J. Liber No. 34 June 2

Saturday Morning 2d June 1750

This House met again according to Adjournment

Present as Yesterday

The following Message with the Supplementary Bill to the Inspection Law is sent to the Lower house by Edmund Jenings Esqr

By the Upper House of Assembly 2d June 1750

p. 360 Gentlemen

As to the Amendment which this House Proposed in the applying the Moiety of several Fines to the Lord Proprietary in support of Government, We must observe that all Fines by the Common Law as well as Penal Acts are Rights Properly belonging to Government; for amongst other Reasons It is always thought for the Benefit of the People, that such Fines should be Applyed to the Government as they may be in Particular Cases remitted to the Offender which cannot be done, if they are Appropriated to particular uses tho the Family of the Person unhappily forefeiting is Reduced to want and beggary & the Person himself rendered in cappable to pay any Part of his Just Debt and therefore such Fines are never so Applyed but upon cogent Motives However as the due Execution of the Inspection Law is of the last Consequence to the Welfare of the Province We are Extreamly Desirous of doing any thing for that End, therefore we shall agree, that the Fines which now Stand in the Bill Appropriated to the County Schools shall be Applyed to the several and Respective Counties to defray the Expence that hath or may arise in the due Execution of that Act, And Consequently we must insist that Our Amendment also in Line 11th Page 7th and in 16th Line of Page 9th shall be in Like Manner

As to the Amendemnt Proposed in Page 7th Line 6th We shall recede therefrom in Case the following Clauses be substituted in its stead

And be it further Enacted that no Inspector or Inspectors whatsoever shall directly or Indirectly either for himself or any other Person buy or Receive by way of Barter Loan or Exchange any Tobo whatsoever or suffer or Permit any Tobacco to be bought by any Person or Persons whatsoever with any Money arising by the Sale of any Goods Wares or Merchandise whatsoever made by any of the Inspector or Inspectors either upon their own Accounts or the Accounts of any other Person or Persons whatsoever under the Penalty of Twenty shillings Currency for every hundred weight of Tobacco so bought or Received to be Applyed in the same Manner as now Proposed

Provided Always that nothing herein contained shall be construed to hinder any Inspector from receiving his Rents in Tobacco which shall be first Viewed Examined and Stamped according to the directions of this Act

Although we agree that it is very Reasonable to Suppress the Inspection House at Maggothy yet we cannot for many Reasons consent to the suppressing the Warehouse at Annapolis U. H. J. Liber No. 34 June 2 p. 361

As to the Salary at Bladensburgh, Queen Ann, Marlborough, & Benedict Town Inspections, although we are very Apprehensive the Reduction of Salarys may have many ill consequences & discouragements in Executing the Inspection Law yet if you still insist on it we will not disagree with you in this Point, but wish you would continue the same Salarys as settled by the former Act.

We recede from such of Our other Amendments as were not Agreed to by your house in your Message of the first Instant or not taken Notice of by us in this Message

Signed p Order Jn° Ross Cł Up Ho.

Read the second time the Bill Entituled an Act to impower James Sterling Rector of S[t] Pauls Parish in Kent County to Convey Two Tracts of Land the One called Huddles Right the other called Rushmore lying in Kent County aforesaid and Will pass, sent to the Lower house by Col Lloyd

A Message from the Lower house by Mess[rs] Sheredine & Davis

By the Lower house of Assembly 2[d] June 1750

May it Please your honours

It appearing to this house that there is wanting, Paper Ink Powder, Quils Parchment and Books for the use of the Publick, & as there is a Large Sum of Money due to the Publick of this Province, in the hands of M[r] William Hunt Merchant in London We propose that the Treasurer of the western shoar be ordered to send to the said William Hunt for the above necessaries to the Amount of thirty Pounds Sterling and desire your Honours concurrance

Signed p Order M Macnemara Cł Lo H.

The Bill Entituled An Act for the sale of Certain Lands and Houses belonging to the free school in the City of Annapolis called King William School being Read and assented to by this House is Carried to the Lower house with the Paper Bill is brought from the Lower house by Mess[rs] Hyland and Davis, thus Endorsed

By the Lower house of Assembly 2 June 1750

The Engrossed Bill whereof this the Original is read & assented to

Signed p Order M Macnemara Cł Lo H.

The following Message is sent to the Lower house by Col Plater p. 362

By the Upper house of Assembly 2 June 1750

Gentlemen

In answer to your Message of this day We must Observe that any Money raised Generally for the use of the Publick cannot in any maner strictly legal be applyed to Particular Uses without the

U. H. J. Liber No. 34 June 2 Concurrance of the several Branches of the Legislature by a formal Act, however the Governor has been made acquainted with that Message and is pleased to concur therewith, and we are willing the Sume you mention should be appropriated to the uses Specified in that Message

Signed ꝑ Order Jn° Ross Cł Up H.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Two Engrossed Bills from the Lower house by Mess^rs^ Henry & Barnes Viz. A Bill Entituled a supplementary Act to the Act Entituled an Act ascertaining the hight of Fences, to prevent the Evil occasioned by the Multitude of Horses and restraining the Horse Rangers within this Province and to redress the great Evil accruing to this Province by the Multiplicity of Useless Horses Mares & Colts that run in the woods. A Bill Entituled An Act to impower James Sterling Rector of S^t^ Pauls Parish in Kent County to Convey two Tracts of land the one called Huddles Right the other called Rushmore Lying in Kent County aforesaid; thus subscribed 2 June 1750

Read and Assented to by the Lower house of Assembly.

Signed ꝑ Order M Macnemara Cł Lo Ho.

Read & assented to by this house, and Ordered to be so Subscribed, the Paper Bills so Endorsed are sent to the Lower house by Samuel Chamberlain Esq^r^

Ordered that the Clerk of this house the same fees on all private Bills passed this house this Session as are allowed to the Lower house by their Clerk

p. 363 An Engrossed Bill from the Lower house by Mess^rs^ Key & Dulany. Entituled a Supplementary Act to the Act Entituled an Act for amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers fees; thus subscribed 2 June 1750

Read and assented to by the Lower house of Assembly

Signed ꝑ Order M Macnemara Cł Lower house

Read and assented to by this house and Ordered to be so Subscribed, the Paper Bill so Endorsed is sent to the Lower house by Samuel Chamberlaine Esq^r^

Mess^rs^ Key and Sullyvan from the Lower house acquaint His Excellency their house hath no Business before them

Edmund Jenings and Samuel Chamberlain Esq^rs^ are sent to the Lower house to Acquaint the Speaker that his Excellency Requires

his immediate Attendance with the Lower house in the Upper house to see the Laws passed both houses this Session receive the Assent U. H. J. Liber No. 34 June 2

The Lower House attend and by their Speaker present to His Excellency the following [Ingrossed] Bills Viz.

An Act continuing An Act Entituled An Act to prevent the ill practices of Sheriffs in the collecting and payment of the Publick and County Levies.

An Act continuing An Act Entituled An Act for relieving the Inhabitants of this Province from some aggrievances in the Prosecution of suits at Law and for continuing the Supplementary Act thereto

An Act continuing An Act Entituled An Act for the Advancement of Justice.

An Act to remedy some Evils relating to sérvants

An Act to enable the Justices of Kent County Court for the time being to Levy on the taxable Inhabitants of the said County for the Uses therein mentioned.

An Act to enable the Justices of Baltimore County Court to assess and Levy on the taxable Inhabitants of St. Georges Parish in that County a sum of Money for the Uses therein mentioned

An Act impowering the Justices of Charles County Court to Assess and Levy on the taxable Inhabitants a Quantity of Tobacco and for other Purposes therein mentioned

An Act impowering to the Justices of Prince Georges County to Levy on the taxable Inhabitants of Queen Ann Parish in the said County fifty pounds Current Money for the Uses therein mentioned p. 364

An Act continuing An Act Entituled An Act for the Gauge of Barrels for Pork, Beef Pitch, Tar, Turpentine and Tare of Barrels for Flour or Bread

An Act for the further Enlargement of Baltimore Town in Baltimore County

An Additional Supplementary Act to the Act Entituled An Act for laying out and erecting a Town at a Place called Long Point on the West Side of North East river in Cecil County

An Act to Settle the Divisions Between Frederick & Baltimore Counties and Also between Dorchester & Worcester Counties

An Act to Oblige Owners Overseers & Managers of Iron Works to assist in reparing Publick Roads

An Act to impower the Justices of Prince Georges County Court for the time being to treat and agree with an Undertaker or Undertakers to Stop a Breach now made from the North West Branch of Patuxent River in said County across the Main Road in Queen Anne Town in said County and to Levy on the taxable Inhabitants thereof a Sum of Money for the Purposes therein mentioned

U. H. J. Liber No. 34 June 2

A Supplementary Act to the Act Entituled An Act to impower the Justices of Queen Anns County Court to Sell the Materials of the Old Prison of that County and the Produce thereof to apply as therein directed

An Act to impower the Vestrymen & Church wardens of King and Queen Parish in S^{t} Marys County for the Time being to sell a certain Tract of Land therein mentioned and to Apply the Produce Money or Tobacco arising by such Sale towards the purchase of another piece of Land to be made a Glebe for the Use of the Incumbent of that Parish and his successors

An Act for the relief of Philip Cazear a Languishing Prisoner in Cecil County Goal

An Act to enable the Rector and Vestrymen of Great Choptank
p. 365 Parish in Dorchester County to Lease some Land belonging to the said Parish unimproved.

An Act continuing an Act Entituled An Act for the Speedy & Effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer.

An Act to enable the Justices of Frederick County to levy a Sum of Money on the taxable Inhabitants of All Faiths Parish in the said County and for the Building a Chappel of Ease in King & Queen Parish in S^{t} Marys County, and for other purposes therein mentioned

An Act to encourage the destroying of Squirrels & Crows in the Several Counties therein mentioned.

An Act impowering the Rector Vestrymen & Church wardens of Queen Caroline Parish in Ann Arundel County for the Time being to purchase one acre of Land and thereon to Build a Chappel of Ease in the said Parish and to impower the Justices of the said County to levy on the taxable Inhabitants of the said Parish the sum of Twelve Pence Current Money by three Annual assessments for the Uses therein mentioned

An Act to enable George Catto of Cecil County Gentleman and Araminta his Wife Executrix of William Alexander late of the County af^{d} Gentleman her former husband deceased to sell Lands

An Act for the Sale of certain Lands and Houses belonging to the Free School in the City of Annapolis called King William School

A Supplementary Act to the Act Entituled An Act ascertaining the height of Fences to prevent the Evil ocasioned by the Multitude of Horses and restraining Horse Rangers within this Province and to redress the Great Evil accruing to this Province by the Multiplicity of Useless Horses, Mares and Colts that run in the Woods

An Act to impower James Sterling Rector of St. Pauls Parish in Kent County to Convey two Tracts of Land the One called Huddles Right the other called Rushmore Lying in Kent County aforesaid

A Supplementary Act to the Act Entituled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers fees

U. H. J. Liber No. 34 June 2 p. 366

All which His Excellency passed into Laws in the usual form by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms and Subscribing them on behalf of the Right Honourable the Lord Proprietary of this Province I WILL THIS BE A LAW the Bill Entituled An Act to prevent the Exporting of Trash or bad Tobacco being passed into a Law before.

After which his Excellency was pleased to conclude this Session with the following Speech

Gentlemen of the Upper and Lower houses of Assembly

The Business of this Session being at an End I have thought fit with the Advice of his Lordships Council of State to prorogue this Assembly to the second Tuesday in October next; and you are to take Notice you are Prorogued to that day accordingly

Thus Ends this Session of Assembly begun & held at the City of Annapolis on Tuesday the 8th day of May and ending on Saturday the 2d day of June following in the 36th year of his Lordships Dominion and in the 24th year of his Majestys Reign Annoque Domini 1750

J. Ross Cl.

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

L. H. J. Liber No. 47 1750, May 8 p. 1

At a Session of Assembly begun and held at the City of Annapolis, on Tuesday the 8th Day of May, in the Year of our Lord God 1750, and in the 36th Year of the Dominion of the Right Honourable Charles, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. by several Proroguations from the 24th Day of June last; his Excellency Samuel Ogle, Esq. being Governor.

Appeared in the Lower House of Assembly,

The Honourable Philip Hammond, Esq; Speaker;

For Kent County,
Mr. Nicholas Smith,
Mr. Richard Lloyd,
Mr. Simon Wilmer;

For Anne Arundel County,
Dr. Charles Carroll,
Mr. Thomas Worthington,
Mr. Stephen Bordley;

For Calvert County,
Mr. Benjamin Mackall,
Mr. James Heighe,
Mr. Benson Bond;

For Charles County,
Mr. Bayne Smallwood,
Mr. John Stoddert,
Capt. Arthur Lee,
Mr. Jonathan Wilson;

For Somerset County,
Col. Robert King,
Col. Robert Jenckins Henry,
Capt. Isaac Handy,
Mr. Henry Waggaman;

For Talbot County,
Mr. Nicholas Goldsborough,
Mr. John Goldsborough,
Mr. Robert Lloyd,
Mr. Edward Oldham;

For Dorchester County,
Mr. Daniel Sulivane,
Col. Henry Hooper,
Capt. Matthew Travers;

For Baltimore County,
Capt. John Paca;

For Prince George's County,
Mr. Turnor Wootton,
Mr. William Murdock;

For the City of Annapolis,
Capt. Robert Gordon,
Mr. Walter Dulany;

For Queen Anne's County,
Capt. William Hopper,
Mr. Thomas Wilkinson,
Mr. John Davis;

L. H. J.
Liber No. 47
May 8

For Worcester County,
Capt. Thomas Robins,
Mr. John Selby,
Col. John Scarborough,
Col. John Henry;

For Frederick County,
Capt. Thomas Owen,
Mr. John Smith Prather.

A sufficient Number of the Members of the Lower House of Assembly being convened at the Stadt-House; Ordered, That Col. King and Col. Hooper do acquaint his Excellency the Governor therewith. They return, and acquaint Mr. Speaker, they delivered the Message.

George Plater and Daniel Dulany, Esquires, from the Upper House, acquaint Mr. Speaker, that his Excellency the Governor requires the Attendance of the Lower House immediately in the Upper House.

Mr. Speaker left the Chair, and, attended by the Members of the p. 2
Lower House, went to the Upper House; where his Excellency made the following Speech: (See page 335)

Mr. Speaker, attended with the Members, returned to the Lower p. 3
House, and resumed the Chair.

Mr. Zachariah Bond, Mr. James Mills, Mr. Philip Key, and Major Abraham Barnes, Members returned to serve in this present Assembly for St. Mary's County; and Col. Thomas Colvill, and Capt. Nicholas Hyland, two Members returned to serve for Cæcil County; appeared in the House: Ordered, That Capt. Lee and Mr. Wilson go with those Gentlemen to the Upper House to see them qualified: They return, and acquaint Mr. Speaker, those Gentlemen had qualified in the usual Manner. Thereupon they took their Seats in the House.

Ordered, That Mr. Speaker do issue his Warrant to the Secretary of this Province, to make out a new Writ of Election, directed to the Sheriff of Baltimore County, to elect a new Member to serve in this present General Assembly, in the Room of Dr. George Buchanan, deceased.

The House continues the Gentlemen on the several Committees, that were last Session.

The House having taken into Consideration his Excellency the Governor's Speech; Ordered, That the Committee of Laws do prepare an Address to his Excellency thereon.

Ordered, That the Rules of the House of last Session, be observed as such this Session.

Ordered, That Mr Worthington acquaint the Rev. Mr. Malcolm, That he is desired by this House to read Divine Service Morning and Evening, during this Session.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

L. H. J.
Liber No. 47

Wednesday Morning, May 9, 1750.

May 9
p. 4 The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

Major Sheredine, Col. Sprigg, Capt. Addison, Capt. Lux, Mr. Lecompte, and Mr. Chaplain, appeared in the House.

On motion of a Member that a Bill be brought in for the better Encouragement of Learning within this Province; Leave is given to bring in a Bill accordingly.

It being moved by a Member, that an Enquiry be made what Oath is taken by his Lordship's Council of State, and by the several Public Officers of this Province, at the Time of their Qualification for holding Offices: Resolved, that the same be enquired into. Ordered, That the Committee of Aggrievances and Courts of Justice do make an Enquiry accordingly, and Report the same to the House; and that the Committee be impowered to send for Persons, Papers, and Records.

It appearing to this House, that Mr. Walter Dulany, since his being elected to serve as a Delegate for the City of Annapolis, hath accepted of the Office of Deputy Commissary of Anne Arundel County; and that Capt. Edward Tilghman, since his being Elected a Delegate for Queen Anne's County, hath accepted of the Office of Keeper of the Rent-Rolls for the Eastern Shore: Resolved, That the Acceptance of such Offices hath disqualified those Gentlemen from their Seats in this House, and that they be discharged accordingly.

Ordered, That Mr. Speaker do issue his Warrant to the Secretary of this Province, to make out a new Writ of Election, directed to the Mayor, Recorder, and Aldermen, of the City of Annapolis, to elect a Delegate to serve in this present General Assembly, in the Room of Mr. Walter Dulany, who is removed from his Seat in this House.

Ordered, That Mr. Speaker do issue his Warrant to the Secretary of this Province, to make out a new Writ of Election, directed to
p. 5 the Sheriff of Queen Anne's County, to elect a Delegate to serve in this present General Assembly, in the Room of Capt. Edward Tilghman, who is removed from his Seat in this House.

Mr. Philip Key is added to the Committee of Laws.

Col. Colvill is added to the Committee for inspecting the Office and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly.

On motion that a Bill be brought in, to remedy some Evils relating to Servants; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Col. Sprigg, from the Committee of Accounts, acquaints Mr. Speaker, That that Committee had made choice of Mr. James Waring as Clerk, in the Room of Mr. Richard Dorsey, who resigned: The House approved the Choice, and Ordered, that he be qualified in the usual Manner. Thereupon the said Waring took the several Oaths to the Government, &c. and the Oath of Office. L. H. J. Liber No. 47 May 9

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. Key delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland,

The humble Address of the House of Delegates.

May it please your Excellency,

We his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, take Leave to return your Excellency our unfeigned Thanks for your kind Speech at the Opening of this Session, and the Assurances you are pleased to give of your sincere Desire to promote our Happiness in every Respect.

The Experience we have hitherto had of the Inspection-Law, encourages us to hope it may in Time answer our highest Expectations; and we shall do all that lies in our Power towards rendering it as perfect, in every Part, as a Law, so well intended for the general Good, can be made; that the Prosperity of our Trade, on which the Interest and Happiness of the People of this Province so much depend, may be thereby promoted. p. 6

We shall take under our Consideration the Expediency of reviving the Law, for raising a Fund for the Purchase of Arms and Ammunition; and do therein what we think necessary for the Welfare and Safety of the People.

Our Disposition for the public Service will induce us to avoid all unnecessary Disputes, and prevail with us to give all convenient Dispatch to Business, that our present Meeting may contribute to the Advantage and Ease of our Constituents.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

Ordered, That Mr. Key and Col. R. J. Henry acquaint his Excellency this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return and

L. H. J. Liber No. 47 May 9 acquaint Mr. Speaker, the Governor will be ready to receive the Address in half an Hour's Time, in the Conference Chamber.

Col. Hooper, and Fourteen more, are ordered to present the Address to the Governor.

The following Message: (See page 337)

p. 7 Was sent to the Upper House by Capt. Zachariah Bond and Col. John Henry.

Mr. James Baxter, a Member returned to serve in this present Assembly for Cæcil County, appeared in the House. Ordered, That Col. Colvill and Mr. Hyland go with him to the Upper House, to see him qualified: They return, and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

The House adjourns 'til Tomorrow Morning at 9 o'clock.

May 10 Thursday Morning, May 10, 1750.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

Mr. Crabb appeared in the House.

On motion that an Address be prepared to his Excellency, requesting him to order an Account of the Amounts of the Three Pence per Hogshead, raised for Arms and Ammunition, by Virtue of the Acts in 1747, and in 1748, and how the same hath been disposed of, to be laid before this House: And Ordered, That an Address be brought in; and that the Committee of Laws do prepare and bring in the same.

The Governor communicates to Mr. Speaker the following Answer to the Address of this House:

Gentlemen of the Lower House of Assembly,

I Return you Thanks for your kind Address, and am very glad to find that your Sentiments of our Inspection-Law are so conformable to my own; and I shall with great Pleasure concur with you in every Thing that can be thought of, to make it as beneficial to the Province as possible.

Sam. Ogle.

p. 8 On motion that a Bill be brought in, to issue Replevins out of the County Courts of this Province; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Dr. Carroll, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to remedy some Evils relating to Servants; which was read the first Time, and ordered to lie on the Table.

Ordered, That the Committee of Accounts do make an Enquiry what Quantity of Rum hath been imported into this Province, for Years past, what Accounts have been rendered for the Duties on the Importation, and to whom; what Duties have been received, by whom, and to whom paid; and Report the same to the House. L. H. J. Liber No. 47 May 10

On motion that a Bill be brought in to license Hawkers, Pedlars, and petty Chapmen, within this Province; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in, to encourage the destroying of Squirrels and Crows in the several Counties therein mentioned; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Mr. Henry Baker, a Member returned to serve in this present Assembly for Cæcil County, appeared in the House. Ordered, That Mr. Hyland and Mr. Baxter do go with him to the Upper House to see him qualified: They return, and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

On motion that a Bill be brought in, for the Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in, to impower the Justices of Prince George's County to levy on the taxable Inhabitants of the said County a Quantity of Tobacco, to be applied to stop a Breach now made from the North-West Branch of Patuxent River, across the main Road in Queen Anne Town in the said County; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. p. 9

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the following Message: (See page 338)

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

On motion that a Bill be brought in, to oblige Owners, Overseers, and Managers of Iron-Works, to assist in repairing the public Roads; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency; which was read, approved, and ordered to be Ingrossed.

L. H. J. Liber No. 47 May 10

A Petition of the Vestry, Churchwardens, and Parishioners of King and Queen Parish, in St. Mary's County, praying Leave to bring in a Bill to sell the Land belonging to that Parish, and to buy other Lands more convenient for a Glebe; was read, and Leave given to bring in a Bill according to Prayer.

On motion that a Bill be brought in, to ascertain the Value of foreign Gold Coin within this Province; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

p. 10 To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

This House are desirous to have an Account laid before them, of the Amount of the Three Pence per Hogshead, raised for Arms and Ammunition, by Virtue of the Acts made in 1747 and 1748; and how the same hath been disposed of. They therefore humbly intreat your Excellency will be pleased to order, that such Account and Disposition be made out, and laid before them.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

Ordered, That Mr. Murdock and Mr. Bordley do acquaint his Excellency, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify that he would be ready, in half an Hour's Time, to receive the Address in the Conference Chamber.

Ordered, That Mr. Wootton, and Three more, do present the Address to his Excellency.

On motion that a Bill be brought in, to divide Frederick and Baltimore Counties, and Dorchester and Worcester Counties, according to the Lines and Boundaries mentioned in the Reports made last Session of Assembly, by the Commissioners nominated and appointed by the Upper and Lower Houses of Assembly in 1748; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

The Governor communicates to Mr. Speaker the following Answer; viz.

Gentlemen of the Lower House of Assembly,

I Shall, according to your Desire, give Directions to the proper Officers, to lay before you the Amount of the Three Pence per Hogshead, raised in the Years 1747 and 1748, with the Account of the Disposition of it.

Sam. Ogle.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

Friday Morning, May 11, 1750. L. H. J. Liber No. 47

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read. May 11 p. 11

It being moved by a Member, that several Amendments are necessary to be made to the Inspection-Law: Resolved, That this House will, on Tuesday Morning next, take into Consideration the Act for amending the Staple of Tobacco, &c. and the Supplementary Acts relating thereto.

On motion that a Bill be brought in, for processioning Lands, in order to perpetuate the Bounds thereof; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

On motion, Whether Gentlemen, who acted as Members of the Lower House and Provincial Magistrates on one and the same Day, should have a distinct Allowance in the Journal of Accounts: The Question was put, Whether the same Person, acting as a Member of this House, and sitting as a Provincial Magistrate, on one and the same Day, shall have an Allowance for each Service on that Day; or Not? Resolved in the Negative.

For the Negative,

Mr Richard Lloyd,	Mr King,	Mr Hopper,
Wilmer,	Handy,	Wilkinson,
Carroll,	Waggaman,	Davis,
Worthington,	N. Goldsborough,	Robins,
Heighe,	J. Goldsborough,	Selby,
Mackall,	Oldham,	Scarborough,
B. Bond,	Baker,	Crabb,
Smallwood,	Wootton,	Chaplain,
Lee,	Addison,	Prather.
Wilson,	Murdock,	

For the Affirmative.

Mr Z. Bond,	Mr Robert Lloyd,	Mr Baxter, p. 12
Mills,	Sulivane,	Paca,
Keys,	Hooper,	Sheredine,
Barnes,	Lecompte,	Lux,
Smith,	Travers,	Sprigg,
Bordley,	Colvill,	J. Henry,
Stoddert,	Hyland,	Owen.

L. H. J. Liber No. 47 May 11

The Question was put, Whether the same Person, acting as a Member of the Upper House, and sitting as a Judge in the Court of Appeals, on one and the same Day, shall have an Allowance for each Service on that Day; or Not? Resolved in the Negative.

For the Negative,

Mr Smith,	Mr Handy,	Mr Hopper,
Richard Lloyd,	Waggaman,	Wilkinson,
Wilmer,	N. Goldsborough,	Davis,
Carroll,	J. Goldsborough,	Robins,
Worthington,	Oldham,	Selby,
Heighe,	Baker,	Scarborough,
B. Mackall,	Hyland,	Crabb,
B. Bond,	Baxter,	Chaplain,
Smallwood,	Paca,	Owen,
Lee,	Wootton,	Prather.
Wilson,	Addison,	
King,	Murdock,	

For the Affirmative,

Mr Z. Bond,	Mr R. J. Henry,	Mr Colvill,
Mills,	Robert Lloyd,	Sheredine,
Key,	Sulivane,	Lux,
Barnes,	Hooper,	Sprigg,
Bordley,	Lecompte,	Gordon,
Stoddert,	Travers,	J. Henry.

The House taking into Consideration Heads of a Bill, for the greater Encouragement of Learning within this Province: The Question was put, Whether the County-Schools shall be suppressed, in order that a sufficient Fund may be raised for establishing a School, or College, on each Shore of this Province, for the Education of Youth, or Not? Resolved in the Affirmative.

For the Affirmative,

p. 13 Mr Z. Bond,	Mr Stoddert,	Mr Addison,
Mills,	Lee,	Sprigg,
Key,	Wilson,	Murdock,
Barnes,	Robert Lloyd,	Gordon,
Smith,	Oldham,	Hopper,
Richard Lloyd,	Baker,	Wilkinson,
Wilmer,	Colvill,	Davis,
Carroll,	Baxter,	Chaplain,
Worthington,	Sheredine,	Owen,
B. Mackall,	Paca,	Prather.
B. Bond,	Lux,	
Smallwood,	Wootton,	

For the Negative, L. H. J. Liber No. 47 May 11

Mr Heighe,	Mr J. Goldsborough,	Mr Selby,
King,	Sulivane,	Scarborough,
R. J. Henry,	Hooper,	J. Henry,
Handy,	Lecompte,	Hyland,
Waggaman,	Travers,	Crabb,
N. Goldsborough,	Robins,	

The House adjourns 'til Tomorrow Morning at 9 o'clock.

Saturday Morning, May 12, 1750. May 12

The House met according to Adjournment: The Members were called, and all present as Yesterday. The Proceedings of Yesterday were read.

The Bill entituled, An Act to remedy some Evils relating to Servants, was read the second Time and passed.

On motion that a Bill be brought in, to alter and enlarge the Condition of the Bonds given by Sheriffs for the due Execution of their Office; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

A Bill entituled, An Act for issuing Writs of Replevin out of the County Courts of this Province, was read the first Time, and ordered to lie on the Table.

Mr. Goldsborough, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise; which was read the first Time, and ordered to lie on the Table.

On motion that a Bill be brought in, to prevent driving Deer; p. 14
Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

On motion for Leave to bring in a Supplementary Bill to the Act entituled, An Act for the Ease of the Inhabitants, in examining Evidences relating to the Bounds of Land, and in the Manner of obtaining Injunctions; Leave is given.

It being moved by a Member, that the several County Clerks do pay to the Secretary of this Province the Tenth Part of the Fees that accrues due to them in their several Offices, and that it does not appear by what Law the said Clerks do pay, and the Secretary receives, the same: Resolved, That an Address be prepared to his Excellency, to desire him to order to be laid before this House, by what Right the same is taken: Ordered, That the Committee of Laws do prepare and bring in the said Address.

L. H. J. Liber No. 47 May 12 Mr. Wootton delivers to Mr. Speaker a Bill entituled, A Supplementary Act to the Act entituled, An Act for the Ease of the Inhabitants, in examining Evidences relating to the Bounds of Lands, and in the Manner of obtaining Injunctions; which was read the first Time, and ordered to lie on the Table.

The House adjourns 'til Monday Morning at 9 o'Clock.

May 14 Monday Morning, May 14, 1750.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Capt. Travers. The Proceedings of Saturday were read.

Mr. Mills and Mr. Hyland are added to the Committee for Inspecting Arms, &c.

On motion that a Bill be brought in, to prevent the Exportation of Trash Tobacco; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

On motion that an Additional Supplementary Bill to the Act entituled, An Act for erecting and laying out a Town, at a Place called Long-Point, on the West Side of North-East Branch in Cæcil County, be brought in; Leave is given.

p. 15 Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act continuing an Act entituled, An Act for the Advancement of Justice: A Bill entituled, An Act continuing an Act entituled, An Act for the better Relief of poor Debtors: A Bill entituled, An Act continuing an Act entituled, An Act to prevent the ill Practices of Sheriffs, in the Collecting and Payment of the Public and County Levies: And a Bill entituled, An Act continuing an Act entituled, An Act for the speedy Recovery of small Debts out of Court, before a single Justice of the Peace: Which Bills were severally read the first Time, and ordered to lie on the Table.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act continuing an Act entituled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto; which was read the first Time, and ordered to lie on the Table.

The Bill entituled, An Act to remedy some Evils relating to Servants, was sent to the Upper House by Mr. Stoddert and Mr. B. Mackall.

The Governor communicates to Mr. Speaker the following Accounts, and the following Copy of an Order of Council; viz.

By the Governor and Council, January 17, 1749. L. H. J. Liber No. 47

Ordered, That the Honourable Col. Charles Hammond, Treasurer of the Western Shore, send to the Executors of Mr. Joseph Adams, late Merchant in London, for the following Arms and Ammunition: May 14

15 Great Guns, Four Pounders, double fortified, of the new Model;
12 Drums, and 12 Pair of Sticks;
12 Trumpets, and Mouth pieces to each Trumpet;
A black and yellow Flag;
20 Half-Barrels of best Gunpowder;
30 Carbines, with Bayonets and Slings;
30 Muskets, with the best Locks.

And it is likewise Ordered, That he direct the said Executors to charge the Amount thereof to the Duty of Three Pence per Hogshead for Arms, lodged by him in the Hands of the said Mr. Adams; and also to the same Fund, transmitted by him to the said Executors, since the Death of the aforementioned Mr. Adams. p. 16

Signed per Order, J. Ross, Cl. Coun.

This is a true Copy of the Governor and Council's Order to me; by Virtue of which Order, I have writ to the Executors of Mr. Adams for the Arms and Ammunition abovementioned.

Cha. Hammond, Treasurer Western Shore of Maryland.

The following Orders to be deducted likewise:

1749.	To the Governor and Council's Order, paid John Raitt. —— —— ——	30 0 0
	To the Governor and Council's Order, paid Henry Walls, Armourer, —— ——	25 0 0
		£. 55 0 0

Memorandum.

What Money have received of the Naval Officers, on Account of the Three Pence per Arms, by Virtue of the Act made in 1747; as follows:

By George Plater, Esq; Naval Officer of Patuxent, for his Account to September 29, 1748, ——	75 7 6
By Col. Benjamin Tasker, Naval Officer of Annapolis, for his Account to September 29, 1748, ——	127 10 7
By Richard Lee, Esq; Naval Officer of Potowmack, for his Account to September 29, 1748, ——	97 10 5
	300 8 6
Treasurer's Salary deducted, at Two and a half per Cent, —— —— —— ——	7 10 3

L. H. J. Liber No. 47 May 14

Neat Ballance received, by Virtue of the Act made 1747, transmitted to Mr. Adams, —— —— £. 292 18 3

Errors excepted, per Cha. Hammond, Treasurer.

May 12, 1750.

Memorandum.

What Money received of the Naval Officers, on Account of the Three Pence per Arms, by Virtue of the Act made in 1748; as follows:

By George Plater, Esq; Naval Officer of Patuxent, for his Account to September 29, 1749, ——	29	17	9
By Col. Benjamin Tasker, Naval Officer of Annapolis, for his Account to September 29, 1749, ——	92	2	2
By Richard Lee, Esq; Naval Officer of Potowmack, for his Account to September 29, 1749, ——	108	7	3
	230	7	2
Treasurer's Salary deducted, at Two and a half per Cent, —— —— —— ——	5	15	2

Neat Ballance received, by Virtue of the Act made 1748, transmitted to the Executors of Mr. Adams, —— —— —— —— £. 224 12 0

Errors excepted, per Cha. Hammond, Treasurer.

May 12, 1750.

p. 17 Dr. Public Stock on the Eastern Shore of Maryland, for the Duty of 3 d. Sterling per Hogshead, on Tobacco exported Annis 1747, 1748, and 1749, for purchasing Arms and Ammunition.

To my Salary on 165 l. 15 s. 3 d. 1 ¼ at Two and a half per Cent, —— —— ——	4	2	10 2
Ballance due on this Stock, —— —— ——	161	12	4 2
£.	165	15	3 0

Cr. Public Stock on the Eastern Shore of Maryland, for the Duty of 3 d. Sterling, &c.

1747.	By the Naval Officer of Annapolis, for his Account to September 29, 1747, ——	0	0	0 0
	By the Naval Officer of Pocomoke, for his Account to September 29, 1747, ——	8	7	0 0
	By the Naval Officer of Oxford, no Account rendered, —— —— ——	0	0	0 0
1748.	By the Naval Officer of Annapolis, for his Account to September 29, 1748, ——	24	12	0 0
	By the Naval Officer of Pocomoke, for his Account to September 29, 1748, ——	8	19	7 0

L. H. J.
Liber No. 47
May 14

	By the Naval Officer of Oxford, as per Henry Holliday's Account, from September 29, 1747, to November 18, following, ——	24	16	1	2
	By D°, as per Tho. Chamberlaine's Account, from Nov. 19, 1747, to Sept. 29, 1748,	29	9	11	2
1749.	By the Naval Officer of Annapolis, for his Account to September 29, 1749, ——	25	12	0	0
	By the Naval Officer of Pocomoke, his Account rendered to September 29, 1749,	4	19	4	1
	By the Naval Officer of Oxford, for his Account to September 29, 1749. ——	38	19	3	0
	£.	165	15	3	1

Errors excepted, Edward Lloyd, Treasurer of the Eastern Shore.
May 12, 1750.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. Goldsborough, from the Committee of Laws, delivers to Mr. Speaker the following Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

This House finding that the Secretary takes from the Clerks of the several County Courts of this Province, one Tenth Part of their Fees yearly, and there not appearing any Law of this Province to warrant the same; we humbly pray, that your Excellency will please to order to be laid before us, by what Right or Claim the same is taken. p. 18

The Question was put, Whether the House approves the Address: or Not? Resolved in the Affirmative.

For the Affirmative,

M^r Z. Bond,	M^r Waggaman,	M^r Lux,
Smith,	N. Goldsborough,	Wootton,
Carroll,	J. Goldsborough,	Addison,
Worthington,	Robert Lloyd,	Sprigg,
Heighe,	Oldham,	Murdock,
B. Mackall,	Sulivane,	Hopper,
B. Bond,	Hooper,	Wilkinson,
Smallwood,	Baker,	Davis,
Stoddert,	Hyland,	Prather.
Lee,	Baxter,	
Wilson,	Paca,	

L. H. J. Liber No. 47 May 14

For the Negative,		
Mr Mills,	Mr King,	Mr Gordon,
Key,	R. J. Henry,	Robins,
Barnes,	Handy,	Selby,
Richard Lloyd,	Lecompte,	Scarborough,
Wilmer,	Colvill,	J. Henry,
Bordley,	Sheredine,	Chaplain.

The said Address was Indorsed, "Read, approved, and ordered to be Ingrossed."

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the Address to his Excellency, Ingrossed; which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Robert Lloyd and Mr. Stoddert do acquaint his Excellency the Governor, this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor signified to them, he was ready to receive the Address immediately in the Conference-Chamber.

Ordered, That Mr. Nicholas Goldsborough, and three more, do present the Address.

Mr. Key, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to prevent the Exportation of Trash, or bad Tobacco; which was read the first and second Time by an especial
p. 19 Order, and will pass; and was sent to the Upper House by Col. King, and six more.

The Governor communicates to Mr. Speaker the following Answer to the Address of this House; viz.

Gentlemen of the Lower House of Assembly,

I have, in Compliance with your Address, enquired of the Secretary, by what Right or Claim he takes from the Clerks of the several Counties, one Tenth Part of their Fees yearly; and have here sent you inclosed his Answer.

Sam. Ogle.

'To his Excellency the Governor.

'May it please your Excellency,

'In Obedience to your Excellency's Commands, in Compliance with an Address from the House of Delegates, desiring to be laid before them the Right or Claim by which the Secretary takes from the Clerks of the several County Courts of this Province one Tenth Part of their Fees, yearly; I am to inform your Excellency, that such Allowance and Payment out of the Clerk's Fees has been an Usage, long before the time I came into the Office of Secretary; and,

I presume, was ever since the Appointment of Clerks by the Secretary: The Reasonableness of it I conceive to be founded on the Rule of Respondeat Superior; by which the Secretary would, and has always been looked upon, to be answerable for the Clerks Misbehaviour, in Case of the Insolvency of the Clerks or their Securities. L. H. J. Liber No. 47 May 14

'I am, Sir,

'Your Excellency's Most obedient humble Servant,

'May 14, 1750.' 'Edm. Jenings.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to prevent the Exportation of Trash, or bad Tobacco, Indorsed, "By the Upper House of Assembly, May 14, 1750: "Read the first and second Time by an especial Order, and will pass." Which Bill was read here, and passed for Ingrossing.

A Remonstrance of the Loss and Gain in the several Inspecting-Houses in Anne Arundel County, by Order of the Justices of Anne Arundel County, was delivered to Mr. Speaker, by Mr. Brice, Clerk of the said County; and was read and referred for Consideration. p. 20

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

Tuesday Morning, May 15, 1750. May 15

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

Capt. Travers appeared in the House.

The Governor communicates to Mr. Speaker the following Answer:

Gentlemen of the Lower House of Assembly,

I am desired by the Secretary to add, to what he has already said on the Subject of your Address, in Relation to the County Clerks; That he looks upon an Agreement with the County Clerks, to receive a proportionable Part of their annual Fees, to be strictly legal and warrantable by the Common Law; and, agreeable to which, their Commissions are worded.

Sam. Ogle.

The House, the Order of the Day being read, having taken into Consideration the Act for amending the Staple of Tobacco, &c. the Question was put, Whether the Paragraph in the said Law, that inflicts the Punishment of Whipping of a Slave for transgressing that Law, be altered; or not? Resolved in the Negative.

L. H. J.
Liber No. 47
May 15

For the Negative,

Mr Z. Bond,	Mr Wilson,	Mr Lux,
Mills,	Handy,	Addison,
Key,	J. Goldsborough,	Murdock,
Smith,	Robert Lloyd,	Gordon,
Richard Lloyd,	Oldham,	Hopper,
Wilmer,	Hooper,	Wilkinson,
Smallwood,	Travers,	Davis,
Stoddert,	Hyland,	Robins,
Lee,	Sheredine,	Selby.

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For the Affirmative,

Mr Barnes,	Mr Waggaman,	Mr Sprigg,
Carroll,	N. Goldsborough,	Scarborough,
Worthington,	Sulivane,	J. Henry,
Bordley,	Lecompte,	Crabb,
Heighe,	Baker,	Chaplain,
B. Mackall,	Colvill,	Owen,
B. Bond,	Baxter,	Prather.
King,	Paca,	
R. J. Henry,	Wootton,	

Mr. Key, from the Committee of Laws, delivers to Mr. Speaker an Ingrossed Bill entituled, An Act to prevent the exporting of Trash, or bad Tobacco; which was read and assented to, and sent to the Upper House with the Paper Bill, by Mr. Key and Col. John Henry.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

The Question was put, Whether the Time for inspecting Tobacco shall commence on the first Day of December yearly; or Not? Resolved in the Affirmative.

For the Affirmative,

Mr Smith,	Mr Handy,	Mr Sprigg,
Richard Lloyd,	Waggaman,	Hopper,
Wilmer,	Sulivane,	Wilkinson,
Carroll,	Travers,	Robins,
Bordley,	Baker,	Selby,
Heighe,	Colvill,	Scarborough,
B. Mackall,	Hyland,	J. Henry,
B. Bond,	Baxter,	Crabb,

Mr Stoddert,	Mr Sheredine,	Mr Chaplain,	L. H. J. Liber No. 47 May 15
Wilson,	Paca,	Owen,	
King,	Lux,	Prather.	
R. J. Henry,	Wootton,		

For the Negative,

Mr Z. Bond,	Mr Lee,	Mr Lecompte,
Mills,	N. Goldsborough,	Addison,
Key,	J. Goldsborough,	Murdock,
Barnes,	Robert Lloyd,	Gordon,
Worthington,	Oldham,	Davis.
Smallwood,	Hooper,	

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bill entituled, An Act to prevent the exporting of Trash, or bad Tobacco; Indorsed, "By the Upper House of Assembly, May 15, 1750: "The Ingrossed Bill, whereof this is the Original, is read and assented to." p. 22

Ordered, That Mr. Key and Mr. Robert Lloyd do acquaint his Excellency, that a Bill entituled, An Act to prevent the exporting of Trash, or bad Tobacco, had passed both Houses, and lay ready for his Excellency's Assent: They return, and acquaint Mr. Speaker that they delivered the Message.

On a further Consideration of the Inspection-Law, the Question was put, Whether the Deficiencies occasioned from the Execution of the Inspection-Law, shall be made good by the respective County, where a Deficiency hath arisen or shall arise; or by the Public? Resolved, That the Deficiency be made good by the respective County where the Deficiency shall happen.

For the Counties to make good the Deficiency,

Mr Z. Bond,	Mr Stoddert,	Mr Addison,
Mills,	Lee,	Sprigg,
Key,	Wilson,	Murdock,
Smith,	N. Goldsborough,	Gordon,
Richard Lloyd,	J. Goldsborough,	Hopper,
Wilmer,	Robert Lloyd,	Wilkinson,
Carroll,	Oldham,	Davis,
Worthington,	Lecompte,	Crabb,
Bordley,	Colvill,	Chaplain,
Heighe,	Sheredine,	Owen,
B. Mackall,	Paca,	Prather.
B. Bond,	Lux,	
Smallwood,	Wootton,	

L. H. J. Liber No. 47 May 15

For the Public to make good the Deficiency,

Mr Barnes,	Mr Sulivane,	Mr Baxter,
King,	Hooper,	Robins,
R. J. Henry,	Travers,	Selby,
Handy,	Baker,	Scarborough,
Waggaman,	Hyland,	J. Henry.

Samuel Chamberlaine and Philip Thomas, Esquires, from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately.

p. 23 Mr. Speaker left the Chair, and, attended with the Members of the Lower House, went to the Upper House; where his Excellency passed the Ingrossed Bill entituled, An Act to prevent the exporting of Trash, or bad Tobacco, into a Law, in the usual Manner.

Mr. Speaker (attended by the other Members) returned to the Lower House, and resumed the Chair.

The Question was put, Whether Persons be restrained from bringing Tobacco in Parcels, for Inspection, after the 20th Day of July; or Not? Resolved in the Negative.

For the Negative,

Mr Mills,	Mr N. Goldsborough,	Mr Gordon
Richard Lloyd,	J. Goldsborough,	Hopper,
Carroll,	Oldham,	Wilkinson,
Worthington,	Lecompte,	Davis,
Heighe,	Baker,	Robins,
Smallwood,	Hyland,	Scarborough,
Stoddert,	Baxter,	Crabb,
Lee,	Wootton,	Chaplain,
King,	Addison,	Owen,
R. J. Henry,	Sprigg,	Prather.
Handy,	Murdock,	

For the Affirmative,

Mr Z. Bond,	Mr B Mackall,	Mr Colvill,
Key,	Wilson,	Sheredine,
Barnes,	Waggaman,	Paca,
Smith,	Robert Lloyd,	Lux,
Wilmer,	Hooper,	J. Henry.
Bordley,	Travers,	

Ordered, That Mr. Green do print the Law for preventing the exporting of Trash or bad Tobacco, in his next News-Papers, and disperse them with the utmost Dispatch; that there may be an immediate Notification to all Persons, of that Law, in order for the due Observation of it.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

Wednesday Morning, May 16, 1750.

L. H. J. Liber No. 47 May 16 p. 24

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker a Petition of Grundy Pemberton, of Queen Anne's County; and a Petition of sundry Inhabitants of Talbot County; praying that Pemberton's Houses, in Oxford Town, may be expressly appointed by Law for Warehouses: which Petitions were severally Indorsed, " By the Upper House, read, and referred to the Consideration of the Lower House."

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Justices and others, Inhabitants of Kent County; a Petition of the Rector Vestrymen, and Churchwardens, and several of the principal Parishioners of William and Mary Parish, in Charles County; a Petition of the Rector, Vestrymen, Churchwardens, and other Inhabitants of St. George's Parish, in Baltimore County; a Petition of the Rector, Vestrymen, and Churchwardens of Queen Caroline Parish, in Anne Arundel County; a Petition of the Inhabitants of that Part of the Indian-Town in Worcester County, that lies between Nasaongo Creek and Accongo Branch; a Petition of the Rector and Vestrymen of Great Choptank Parish, in Dorchester County; a Petition of the Inhabitants of Baltimore County; a Petition of George Catto, of Cæcil County, Gent. and Araminta his Wife, Executrix of the last Will and Testament of William Alexander, of Cæcil County aforesaid, her former Husband, deceased; and a Petition of sundry the Freeholders and Traders of Prince George's and Charles Counties; severally Indorsed, " By the Upper House of Assembly, May 15, 1750: Read, and referred to the Consideration of the Lower House of Assembly. p. 25

" Signed per Order, J. Ross, Cl. Up. Ho."

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment: The Members were called, and all appeared as in the Morning, except Capt. Travers.

Mr. James John Mackall appeared in the House.

Mr. Walter Dulany, a Member returned to serve in this Assembly for the City of Annapolis, appeared in the House. Ordered, That Capt. Gordon and Mr. Heighe do go to the Upper House with Mr. Dulany, to see him qualified: They return, and acquaint Mr. Speaker, they saw him qualified in the usual Manner.

The Gentleman took his Seat in the House.

L. H. J. Liber No. 47 May 16

On a further Consideration of the Law for amending the Staple of Tobacco, &c. The Question was put, Whether the several Counties shall have the whole Advantage of all Tobacco, Inspected in the several Warehouses in such Counties; or Not? Resolved in the Affirmative.

For the Affirmative,

Mr Z. Bond,	Mr Stoddert,	Mr Lecompte,
Mills,	Lee,	Baker,
Key,	Wilson,	Baxter,
Barnes,	R. J. Henry,	Sheredine,
Smith,	Handy,	Wootton,
Richard Lloyd,	Waggaman,	Murdock,
Wilmer,	N. Goldsborough,	Gordon,
Carroll,	J. Goldsborough,	Dulany,
Worthington,	Robert Lloyd,	Hopper,
Bordley,	Oldham,	Wilkinson,
Smallwood,	Hooper,	Davis.

For the Negative,

p. 26 Mr J. J. Mackall,	Mr Hyland,	Mr J. Henry,
Heighe,	Addison,	Crabb,
B. Bond,	Sprigg,	Chaplain,
King,	Robins,	Prather.
Sulivane,	Selby,	
Colvill,	Scarborough,	

Col. Sprigg delivers to Mr. Speaker a Bill entituled, An Act for processioning Lands in order to perpetuate the Bounds thereof, and for other Purposes therein mentioned; which was read the first Time, and ordered to lie on the Table.

The Petition of the Rector, Vestrymen, and Churchwardens, and several of the principal Inhabitants of William and Mary Parish, in Charles County, praying Leave to bring in a Bill to have a Quantity of Tobacco, not exceeding 27000 lb. to be applied towards enlarging and repairing their Parish Church; and to impower the Rector, Vestry, and Churchwardens, to sell a Stock of Neat Cattle and Hogs, belonging to the Glebe, for the Use of the said Parish; was read: Leave is given to bring in a Bill according to Prayer.

The Petition of George Catto, and Araminta his Wife, Executrix of the last Will and Testament of William Alexander, late of Cæcil County, praying Leave to bring in a Bill to sell and dispose of a House in the City of Annapolis, Part of the said Alexander's real Estate, to be applied towards the Payment of Part of his Debts; was read: And Ordered, That Col. Colvill, Mr. Oldham, and Mr. Baxter, be a Committee to enquire into the Allegations and Facts therein contained; and that they report the same to the House.

The Petition of the Justices and other Inhabitants of Kent County, praying Leave to bring in a Bill to levy 50000 lb. of Tobacco, by two Assessments, to be applied to make necessary Repairs and Enlargements to the Court-House of the said County; was read: Leave is given to bring in a Bill according to Prayer. L. H. J. Liber No. 47 May 16 p. 27

The Petition of the Rector, Vestrymen, and Churchwardens of Queen Caroline Parish, in Anne Arundel County, praying Leave to bring in a Bill to levy Twelve Pence Currency per Poll on the taxable Inhabitants of the said Parish, for three Years, to enable the Parishioners to build a Chapel of Ease; was read: And Leave given to bring in a Bill according to Prayer.

The Petition of sundry Inhabitants of Baltimore County, praying that a Bill be brought in to impower the Commissioners of Baltimore-Town to cause twenty-five Acres of Land adjoining to the said Town to be surveyed and laid out into Lots, and to be deemed Part of the said Town; Leave is given to bring in a Bill according to Prayer.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

Thursday Morning, May 17, 1750. May 17

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

The Petition of the Rector, Vestrymen and Churchwardens, and other Inhabitants, of St. George's Parish in Baltimore County, praying Leave to bring in a Bill to levy 1200 l. for purchasing Land, and building a Church and Chapel thereon; read, and Leave given.

The Petition of the Inhabitants of that Part of the Indian-Town in Worcester County, that lies between Nasaongo Creek and Accongo Branch, praying Leave to annex that Part of the Indian-Town, that lies between Nasaongo Creek and Accongo Branch, to the Parish of Allhallows; read, and referred to the Consideration of next Assembly; and Ordered, That the Petitioners give Notice to the Vestry and Parishioners of Coventry Parish thereof, by serving them with a Copy of this Petition. p. 28

The Bill entituled, An Act for the Tryal of all Matters of Fact, &c. The Bill entituled, An Act for issuing Writs of Replevin out of the County Courts &c. The Bill entituled, An Act continuing an Act entituled, An Act for relieving the Inhabitants of this Province from

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some Aggrievances, &c. The Bill entituled, An Act continuing an Act entituled, An Act for the speedy Recovery of small Debts, &c. The Bill entituled, An Act continuing an Act entituled, An Act for the Advancement of Justice: The Bill entituled, An Act continuing an Act entituled, An Act to prevent the ill Practices of Sheriffs, &c. And the Bill entituled, An Act continuing an Act entituled, An Act for the better Relief of poor Debtors: Were severally read the second Time, and passed; and were sent to the Upper House by Mr. Robert Lloyd and Mr. Hyland.

Resolved, That this House will take into Consideration that Part of his Excellency's Speech, relating to the 3 d. for Arms and Ammunition, Tomorrow.

Mr. Key delivers to Mr. Speaker a Bill entituled, An Act to enable the Vestrymen and Churchwardens of King and Queen Parish, in St. Mary's County, for the Time being, to sell a certain Tract of Land therein mentioned, and to apply the Produce Money, or Tobacco, arising by such Sale, towards the purchasing of another Piece of Land, to be made a Glebe, for the Use of the Incumbent of that
p. 29 Parish, and his Successors: Which Bill was read the first Time, and ordered to lie on the Table.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to oblige Owners, Overseers, and Managers of Iron-Works, to assist in repairing public Roads: Which Bill was read the first Time, and ordered to lie on the Table.

Capt. Addison, from the Committee appointed to inspect the Arms, &c. delivers to Mr. Speaker the following Report:

By the Committee appointed to inspect the Arms, Ammunition, and Accounts relating thereto, May 17, 1750.

Your Committee having inspected the Arms and Ammunition in the City of Annapolis, do find the same as followeth; viz.

In the Powder-House,

134 Sword-Belts, 42 Carbine ditto, 1 Box of Flints, 109 Cags of Leaden Ball, and as much Leaden Ball in two old Casks to the Amount of 22 Cags, 9 Half Barrels and 3 Pieces of Half Barrels of old Powder, 6 Barrels and 8 Half Barrels of new ditto.

In the Room under the Conference Chamber,

2700 lb. of Leaden Ball, 300 lb. of large Shot, 980 lb. of Bar Lead.

In the Room over the Conference-Chamber,

72 old Muskets and Carbines much out of Repair, 23 Pair of Holsters, 144 Swords, 25 Bayonets, 65 Sword Belts, 16 old Cutlasses, 6 new Drums, 14 Pistols, 4 Chests of Match, and 15 Pair of Drum-sticks.

In the Council Chamber, L. H. J. Liber No. 47 May 17

386 Muskets and Carbines, 71 Pistols, 20 Trumpets, 8 Drums, 74 Swords, 44 Cartouch Boxes and Belts, 49 Halberts and Pikes, 46 Buckets and Slings, 50 Sword Blades, and 18 Daggers.

Your Committee observe, that the 386 Muskets, also the 14 Pistols, mentioned in the above Report, to outward Appearance are clean; but upon examining the Insides and Locks of some of them, do find, that they are rusty and out of Order, and could not be fired in case of an Emergency. p. 30

Your Committee further find, that since the last Session, there has been delivered out of the Council Chamber, per Order of his Excellency Samuel Ogle, Esq; two Trumpets; viz. one to Capt. William Hopper of Queen Anne's County, and the other to Capt. Richard Harwood of Anne Arundel County.

All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, Robert Tyler, Cl. Com.

On reading the said Report, the Question was put, Whether the Report be given by the Clerk, with the Votes and Proceedings, to be Printed; or Not? Resolved in the Affirmative.

For the Affirmative,

Mr Smith,	Mr Lee,	Mr Lux,
Richard Lloyd,	N. Goldsborough,	Wootton,
Carroll,	J. Goldsborough,	Addison,
Worthington,	Robert Lloyd,	Murdock,
Heighe,	Oldham,	Hopper,
B. Bond,	Lecompte,	Wilkinson,
Smallwood,	Hyland,	Davis,
Stoddert,	Baxter,	Prather.

For the Negative,

Mr Z. Bond,	Mr Handy,	Mr Sprigg,
Mills,	Waggaman,	Gordon,
Key,	Sulivane,	Dulany,
Wilmer,	Hooper,	Robins,
Bordley,	Baker,	Selby,
J. J. Mackall,	Colvill,	Scarborough,
Wilson,	Sheredine,	J. Henry,
King,	Paca,	Crabb.

The House being divided on this Question, the same was determined in the Affirmative by the Honourable Speaker.

On motion, Resolved, That an Address be prepared to his Excellency, on the Subject Matter of the said Report.

L. H. J. Liber No. 47 May 17 p. 31 Ordered, That the Committee of Laws do prepare and bring in the same.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

May 18 Friday Morning, May 18, 1750.

The House met according to Adjournment: the Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

Ordered, That the Committee of Accounts do not receive any Accounts for Public Claims, after Tuesday next; and that they close the Journal of Accounts on Thursday next.

Resolved, That this House will not take into Consideration any new Business, this Session, after Tuesday next.

Mr. Richard Lloyd delivers to Mr. Speaker a Bill entituled, An Act to enable the Justices of Kent County Court, for the Time being, to levy on the taxable Inhabitants of the said County a Quantity of Tobacco, for the Uses therein mentioned; which was read the first Time, and ordered to lie on the Table.

Mr. Robert Lloyd, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency the Governor; which was read, approved, and ordered to be Ingrossed.

Mr. Robert Lloyd, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

In a Report made by the Committee of this House, appointed to inspect the Arms and Ammunition, are the following Paragraphs; viz.

'In the Room over the Conference Chamber, 72 old Muskets and Carbines much out of Repair, 23 Pair of Holsters, 144 Swords, 25 Bayonets, 65 Sword Belts, 16 old Cutlasses, 6 new Drums, 14 Pistols, 4 Chests of Match, and 15 Pair of Drum-sticks.——In the Council Chamber, 386 Muskets and Carbines, 71 Pistols, 20 Trum-
p. 32 pets, 8 Drums, 74 Swords, 44 Cartouch Boxes and Belts, 49 Halberts and Pikes, 46 Buckets and Slings, 50 Sword Blades, and 18 Daggers.——Your Committee observe, that the 386 Muskets, also the 14 Pistols, mentioned in the above Report, to outward Appearance are clean; but upon examining the Insides and Locks of some of them, do find, that they are rusty and out of Order, and could not be fired in case of an Emergency.'

Upon Consideration whereof, we conceive, the Armourer, or Person who hath the Charge of the same, and receives a considerable

yearly Salary, is negligent in his Duty. Therefore, we pray that your Excellency will take the same into your Consideration, and do therein as to your Excellency shall seem meet. L. H. J. Liber No. 47 May 18

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

The Order of the Day being read, the House took into Consideration that Part of his Excellency the Governor's Speech, which relates to the 3 d. for Arms and Ammunition; and unanimously Resolved, That the House will not raise any Money for that Purpose.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act continuing an Act entituled, An Act for the Advancement of Justice: The Bill entituled, An Act continuing an Act entituled, An Act for relieving the Inhabitants of this Province from some Aggrievances, &c. Severally Indorsed, " By the Upper House of Assembly, read the second Time, and will pass."

The Bill entituled, An Act continuing an Act entituled, An Act to prevent the ill Practices of Sheriffs, &c. Indorsed, " By the Upper House of Assembly, May 18, 1750: Read the second Time, and will pass, with the following Amendments; from the Word during, in the last Line but two, to the End of the Bill, to be left out; and the following inserted, for and during the Term of three Years, and unto the End of the next Session of Assembly which shall happen after the End of the said three Years " And p. 33

The Bill entituled, An Act for issuing Writs of Replevin, &c. Indorsed, " By the Upper House of Assembly, read the second Time, and will not pass."

Philip Thomas, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Vestry of Queen Anne Parish, in Prince George's County; a Petition of the Vestry, Churchwardens, and others, the Inhabitants of All Saints Parish, in Frederick County; a Petition of the Justices, Grand Jury, and others, Inhabitants of Frederick County; and a Petition of the Vestrymen, Churchwardens, and other Freeholders, of All Saints Parish, in Calvert County; severally Indorsed, " By the Upper House of Assembly, referred to the Consideration of the Lower House of Assembly."

The Petition of the Vestrymen and Churchwardens, and other Freeholders, of All Saints Parish, in Calvert County, praying an Augmentation of the Inspectors Salaries at Lower-Marlborough, was here read, and granted.

L. H. J. Liber No. 47 May 18

A Bill entituled, An Explanatory Act to the Act entituled, An Act for the direction of Sheriffs in their Offices, and restraining their ill Practices, within this Province, was read the first Time, and ordered to lie on the Table.

The Bill entituled, a Supplementary Act to the Act entituled, An Act for the Ease of the Inhabitants, in examining Evidences relating to the Bounds of Lands, &c. was read the second Time, and passed, and sent to the Upper House by Mr. Zachariah Bond and Capt. Owen.

p. 34 Ordered, That Col. R. J. Henry and Capt. Lux acquaint his Excellency, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker they deliver'd the Message, and that the Governor was pleased to signify that he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Col. R. J. Henry, and three more, do present the Address.

The Petition of the Vestry of Queen Anne Parish in Prince George's County, praying Leave to bring in a Bill to impower the Justices of the said County to levy Fifty Pounds Current Money on the Taxables of the said Parish, to be applied to the new paling of the Chapel-Yard, and building a small House with a Fire-place; was read, and Leave given.

On motion to bring in a Supplementary Bill to the Act to impower the Justices of Queen Anne's County Court to sell the Materials of the old Prison of that County, and the Produce thereof to apply as therein directed; Leave is given.

The Petition of the Vestry, Churchwardens, and others the Inhabitants of All Saints Parish in Frederick County, praying Leave to bring in a Bill to levy on the Parishioners of the said Parish One hundred Pounds Current Money, this ensuing Year, for finishing their Church; was read: Leave given.

A Bill entituled, An Act to impower the Justices of Prince George's County Court, for the Time being, to treat and agree with an Undertaker, or Undertakers, to stop a Breach now made from the North-West Branch of Patuxent River in said County, across the main Road in Queen Anne Town in said County; and to levy on the taxable Inhabitants thereof a Sum of Money, for the Purposes therein mentioned; was read the first Time, and ordered to lie on the Table.

The Governor communicates to Mr. Speaker the following Message; viz.

p. 35 Gentlemen of the Lower House of Assembly,

As there is due to Mr. Bladen the sum of 918 l. 14 s. 6 d. laid out on Account of the Public, I make no Doubt of your thinking it but

reasonable that the Money should be paid; as we must think ourselves obliged to act with the same Equity in our public Capacity, that every just Man will always observe in his private Affairs. L. H. J. Liber No. 47 May 18

If you should have any Objection to raising the Money in the public Levy, I shall very readily join with you in any other Method that may be thought easier to the People.

As to finishing the House for the Use of the Governor, I shall be always far from pressing you to go on faster than you may apprehend it convenient for the Country: However, I cannot help thinking it would be but good economy to secure the Building and other Materials from the Injury they must receive, by being exposed in such a Manner to the Weather.

The House may perhaps by some be thought too large; but considering the Goodness of the Building, and that it is all under one Roof, it may probably in the main be less expensive to the Public, than a smaller House would be, with the necessary Offices adjoining to it.

Sam. Ogle.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

Saturday Morning, May 19, 1750. May 19

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Capt. Addison and Capt. Paca. The Proceedings of Yesterday were read.

Capt. Travers appeared in the House.

Upon considering his Excellency's Message of Yesterday to this House, it is Resolved, That the Claim therein mentioned of Thomas Bladen, Esq; late Governor of this Province, is not warrantable either by the Rules of Law or Equity; his Conduct in the Affair, relative to that Claim, being contrary to, and a Violation of, the Trust and Confidence reposed in him by the Country: And therefore this House will not agree to make such Allowance. p. 36

Resolved also, That this House will not agree to burthen the Country with any further Expence, towards preserving or finishing the House in the said Message mentioned, for the Use of the Governor.

Resolved, That an Address be prepared to his Excellency, on his Message of Yesterday: Ordered, That the Committee of Laws do prepare and bring in the same.

The Bill entituled, An Act continuing an Act entituled, An Act to prevent the ill Practices of Sheriffs, &c. The Bill entituled, An Act continuing an Act entituled, An Act for relieving the Inhabitants of this Province from some Aggrievances, &c. And the Bill

L. H. J. Liber No. 47 May 19 entituled, An Act continuing an Act entituled, An Act for the Advancement of Justice: Were severally read, and passed for Ingrossing.

The Bill entituled, An Act to enable the Justices of Kent County Court for the Time being, to levy on the taxable Inhabitants a Quantity of Tobacco, &c. and the Bill entituled, An Act to enable the Vestrymen and Churchwardens of King and Queen Parish in St. Mary's County, &c. were severally read the second Time, and passed; and sent to the Upper House by Mr. Richard Lloyd and Mr. Mills.

A Bill entituled, An Act impowering the Justices of Prince George's County, to levy on the taxable Inhabitants of Queen Anne Parish in the said County, 50 l. Current Money, for the Uses therein mentioned; was read the first and second Time by an especial Order, and will pass.

p. 37 Capt. Lee delivers to Mr. Speaker a Bill entituled, An Act impowering the Justices of Charles County Court to assess and levy a Quantity of Tobacco, and for other Purposes therein mentioned; which was read the first and second Time by an especial Order, and will pass.

And a Bill entituled, An Act to enable the Justices of Baltimore County Court, to assess and levy on the taxable Inhabitants of St. George's Parish in that County, a Sum of Money, for the Uses therein mentioned; was read the first and second Time by an especial Order, and passed.

Which three last mentioned Bills were sent to the Upper House by Capt. Lee and Mr. Wilson.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency the Governor; which was read, approved, and ordered to be Ingrossed.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Message of Yesterday, this House have come to the following Resolution; viz.

'Upon considering his Excellency's Message of Yesterday to this House, it is Resolved, That the Claim therein mentioned of Thomas Bladen, Esq; late Governor of this Province, is not warrantable either by the Rules of Law or Equity; his Conduct, in the Affair relative to that Claim, being contrary to, and a Violation of, the Trust and Confidence reposed in him by the Country: And therefore, this House will not agree to make such Allowance.

'Resolved also, That this House will not agree to burthen the Country with any further Expence, towards preserving or finishing the House in the said Message mentioned, for the Use of the Governor.' L. H. J. Liber No. 47 May 19

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

The Governor communicates to Mr. Speaker the following Message; viz. p. 38

Gentlemen of the Lower House of Assembly,

I Have considered your Address presented to me Yesterday, in Relation to our Arms; and am very sensible that they are, in general, in a very miserable Condition. The Muskets and Carbines, in the Room over the Conference Chamber, are so old, and so much out of Repair, that I apprehend it would be for the Interest of the Public to have them sold immediately to the best Bidder: And even many of the Muskets and Carbines in the Council Chamber, besides their being without Bayonets, have such bad Locks, as to render them incapable of being fired in a proper Manner, or any Service of Importance.

You may be assured, that I shall always do what lies in my Power, to make the Armourer take all possible Care of every Thing that is intrusted to him; and as I apprehend a great deal of Smith's Work is required, to get the Arms in perfect good Order; which is impossible for the Armourer to pay out of his Salary of 25 l. Sterling per Annum. I should be glad to be impowered to have this done in such an effectual Manner, as may be not only for the Credit, but Security of the Country.

Sam. Ogle.

The House adjourns 'til Monday Morning at 9 o'Clock.

Monday Morning, May 21, 1750. May 21

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Capt. Handy, Mr. Baxter, Mr. John Goldsborough, Capt. Paca, Capt. Lux, and Capt. Crabb.

Capt. Addison appears in the House.

On motion that a Supplementary Bill may be brought in, to the Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, &c. Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

On motion that a Supplementary Bill may be brought in, to the Act for Relief of Creditors in England, against Bankrupts who have imported any Goods into this Province not accounted for; Leave is p. 39

L. H. J. Liber No. 47 May 21

given: Ordered, That the Committee of Laws do prepare and bring in the same.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

An Ingrossed Bill entituled, An Act continuing an Act entituled, An Act for relieving the Inhabitants of this Province from some Aggrievances, &c. An Ingrossed Bill entituled, An Act continuing an Act entituled, An Act to prevent the ill Practices of Sheriffs, &c. And an Ingrossed Bill entituled, An Act continuing an Act entituled, An Act for the Advancement of Justice: Were severally read and assented to.

Mr. Nicholas Goldsborough, from the Committee of Grievances, delivers to Mr. Speaker the following Report; viz.

By the Committee of Grievances and Courts of Justice, May 21, 1750.

In Obedience to an Order of your Honourable House, dated the 10th Day of May Instant, your Committee have sent to the Clerks of the Council, Chancery, Provincial, Commissary's, Land, and County Clerks Offices, and to the Register of the Court of Admiralty, to know what Oath was taken by his Lordship's Council of State, Chancellor, Secretary of State, Commissary General, Deputy Commissary, Judge or Judges of the Land-Office, County Clerks, Sheriffs, and Judge of the Court of Admiralty, at the Time of their respective Qualifications in their several Offices; from whom your Committee received the Answers hereunto annexed, and numbered as underneath: To wit,

From the Clerk of the Council, Oath of a Counsellor, No. 1; from
p. 40 the Register in Chancery, Oath of a Chancellor, No. 2; from the Clerk of the Provincial Court, Oath of the Secretary of State, No. 3; from the Register of the Commissary's Office, the Oath of Commissary General, No. 4; from the same, the Oath of Deputy Commissary, No. 5; from the Clerk of the Land Office, the Oath of Judge of the Land Office, No. 6; from Mr. John Brice, Clerk of Anne Arundel County, the Oath of County Clerk, No. 7; from the same, the Oath of Sheriff, No. 8; from the Register of the Court of Admiralty, the Answer, No. 9.

All which is humbly submitted to the Consideration of the House.

Signed per Order, William Wilkins, Clerk.

Oath of a Counsellor. [No. 1.]

I A. B. as a Member of his Lordship the Right Honourable the Lord Proprietary his Council, within this Province, do swear, that

I will be true and faithful unto his said Lordship, the true and absolute Proprietary of this Province of Maryland; and to his Heirs and Successors, and him and them, and his and their Rights, Royal Jurisdiction, and Seigniory, and every of them, into and over the said Province, and Islands thereunto belonging, will at all Times, during my Continuance in the said Trust, as a Counsellor, defend and maintain, to the utmost of my Power; the Peace and Welfare of the People of this Province I will ever procure, as far as I can; I will aid and assist the Administration of Justice in all Things to my Power; to none will I delay or deny Right, for Fear, Favour, or Affection; I will, to my best Skill, and according to my Heart and Conscience, give good and faithful Counsel to the said Lord Proprietary, and his Heirs and Successors, and to his and their Lieutenant, or chief Governor of this Province, when thereunto I shall be called: I will keep secret all Matters committed or revealed to me as Secrets in Council, or which shall be there moved or debated, secretly and faithfully declare my Mind and Opinion therein, according to my Heart and Conscience: And if any of the said Treaties and Counsels shall touch any of the Privy Counsellors of this Province, I will not reveal the same unto him so touched or concerned, but will keep the same secret, until such Time as by the Consent of the Lord Proprietary or his Lieutenant, or chief Governor here, for the Time being, Proclamation may be made thereof. So help me God.

L. H. J. Liber No. 47 May 21

p. 41

Copy. J. Ross, Cl. Con.

The Chancellor acts by Virtue of the Delivery of the Great Seal to him, and takes the following Oath. [No. 2.]

I A. B. do swear, that as Chancellor and Keeper of the Great Seal of this Province, I will well and truly serve his Lordship the Right Honourable the Lord Proprietary of this Province, and do equal Right to all his Majesty's Subjects, to the best of my Understanding, Skill, and Knowledge: I shall not debar or hinder the Prosecution of Justice, nor take any Gift, Bribe, Reward, or Fee, for the delaying thereof; but will behave myself justly and truly, and bear, act, judge, decree, and determine all Matters that shall regularly come before me for Determination, according to Equity and good Conscience, according to the Duty of my said Office, and according to the best of my Knowledge, during my Continuance in the said Office, or until I shall by lawful Authority be discharged therefrom. So help me God.

Copy. J. Ross, Reg. Cur. Can.

For the Honourable the Committee of Grievances and Courts of Justice. [No. 3.]

Gentlemen,

I Acquainted the Secretary with your Request to have the Oath of Secretary laid before you; and I am directed to inform you, that

L. H. J. Liber No. 47 May 21 p. 42 it appears by the Records in the Provincial Office, that the present Secretary took the Oath of Office; and the Oath of Secretary, as recorded in the Records of the Provincial Court, is as follows:

I A. B. do swear, that I will be true and faithful to the Right Honourable Cæcilius, Lord Baron of Baltimore, the true and absolute Lord and Proprietary of this Province of Maryland; and him and them, and his and their Rights, Royal Jurisdictions, Seigniories, and all and every of them, into and over the said Province, and Islands thereunto belonging, will at all Times defend and maintain, to the utmost of my Power; and will never accept of, nor execute any Place, Office, or Employment, within the said Province, any way concerning or relating to the Government of the said Province, from any Person or Authority, but by, from, or under a lawful Authority, derived or to be derived, from time to time, from his said Lordship, or his Heirs, Lords Proprietaries of the said Province, under his and their Hands and Seal at Arms: I will serve him faithfully, as his Secretary in the said Province: To none will I wittingly or willingly delay or deny Right, in what belongeth to my Office or Offices to do: True Record I will keep of Judgments, and all other Matters to be by me recorded, without Falsification or Corruption, for Fear, Favour, or Malice of any Person whatsoever, to the best of my Ability and Understanding. So help me God, and by the Contents of this Book.

I am, Gentlemen,

Your most humble Servant,

May 18, 1750. Richard Burdus.

Commissary General's Oath. [No. 4.]

You do swear, that as Commissary General of the Province of Maryland, in all Articles in his Lordship's Commission to you directed, you will do equal Right to the Poor as well as to the Rich, to p. 43 the best of your Cunning, Skill, and Knowlege, and according to the Precedents and Customs of this Province, and Act of Assembly in such Cases made: You shall not debar or hinder the Prosecutions of Justice, nor take any Gift, Bribe, or Fee, for the delaying of Judgment; but shall behave yourself justly and truly, to the best of your Understanding, so long as you shall continue in the said Office, or until you shall be by lawful Authority discharged therefrom, So help you God.

Copy, per Richard Dorsey, Register.

Deputy Commissary's Oath. [No. 5.]

You do swear, that you will well and truly serve his Lordship the Lord Proprietary, in the Office of Deputy Commissary of County; that you will do equal Right to the Poor and to the Rich

so far as concerns your said Office, and according to the Laws and Precedents of this Province; that you will not delay nor hinder Right or Justice to any one in your Office; that you will increase no Fees, but be content with the Fees limited by Law; and in all Things well and truly behave yourself in your Office aforesaid, to his Lordship, and all Persons concerned therewith, according to the best of your Skill and Knowlege, until you shall be lawfully discharged thereof. So help you God. L. H. J. Liber No. 47 May 21

Copy, per Richard Dorsey, Register.

The Oath of Office taken by the Judges of the Land-Office, is, [No. 6.]

That they shall well, truly, and faithfully discharge their Duty, as Judges of the Land-Office, according to right Reason and good Conscience, agreeable to the Rules and Practice thereof, and to such Instruction as they shall receive from time to time relating thereto.

The Oath of a Clerk of the County Court. [No. 7.]

I J. B. do swear, that I will faithfully serve his Lordship, as Clerk of the County Court of A. and to none will I wittingly or willingly deny Right, in what belongeth to my Office to do; true Records I will keep, or cause to be kept, of all Judgments, Orders of Court, or other Matters to be by me recorded, without Falsification, according to the best of my Ability, Skill, and Knowledge. So help me God. p. 44

The Sheriff's Oath. [No. 8.]

You A. B. do swear, that you will well and truly serve his Lordship the Lord Proprietary, in the Office of Sheriff of the County of that you will truly and rightfully treat the People of your Bailywick, and do Right as well to the Poor as Rich, in all that belongs to your Office; you will not do wrong to any Man for Gift, Favour, or Affection, but will duly execute, so far as you may, all Writs, Precepts, Process, and Warrants, as shall be to you directed by lawful Authority; and thereof make true Return according to the Tenor thereof; and all other Things that to the said Office of Sheriff shall belong you will execute to the best of your Knowlege, Skill, and Cunning so long as you shall continue in the said Office, or until you shall be by lawful Authority discharged therefrom. So help you God.

By the Committee of Grievances and Courts of Justice, May 18, 1750. [No. 9.]

In Pursuance of an Order of the Honourable the House of Delegates, this Committee desire to know what Oath of Office is taken

L. H. J. Liber No. 47 May 21 by the Judge of the Court of Admiralty, at the Time of his Qualification as such; that Report may be made accordingly.

Signed per Order, Wm. Wilkins, Clerk.

To Mr. Michael Macnemara, Register
of the Court of Admiralty.

Gentlemen,

By all the Entries in the Proceedings of the Court of Vice Admiralty, I can't find any other than a Certificate from the Governor, and Certificates from Provincial Magistrates, that the Judge appointed of the Vice-Admiralty Court, had taken before them the several Oaths required by Law, and an Oath of Office, which doth not appear in the Certificates or Proceedings.

I am, Gentlemen,

Your most humble Servant,
M. Macnemara.

To the Honourable Gentlemen of the
Committee of Grievances and Courts
of Justices. May 18, 1750.

On reading the said Report, the House concurs therewith.

On motion that a Bill may be brought in, to direct and prescribe the Form of an Oath to be taken by the several Officers of this Province, before they take upon themselves to act in any Office; Leave
p. 45 is given: Ordered, That the Committee of Laws do prepare and bring in the same.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker a Bill entituled, An Act for the Sale of certain Lands and Houses, belonging to the Free School in the City of Annapolis, called King William's School; Indorsed, "By the Upper House of Assembly, May 21, 1750: Read the first and second Time by especial Order, and will pass.

"Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was read here the first Time, and ordered to lie on the Table.

On motion that a Committee be appointed to enquire into the Will of Col. Thomas Smithson, deceased, and report to the House what Estate he bequeathed by his Will to the Rector, Visitors, &c. of the Free School, in those Lands; and also what Estate the said Rector, &c. have in the Lots lying in the City of Annapolis, mentioned in the Bill sent down from the Upper House: Ordered, That Mr. Carroll, Mr. Bordley, and Mr. Murdock, be a Committee for that Purpose; and that they make Report accordingly.

On motion that a Bill be brought in, to preserve the Honour and Independency of the House of Delegates; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same. L. H. J. Liber No. 47 May 21

Ordered, That Mr. Richard Lloyd and Capt. Lee go and acquaint his Excellency the Governor, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker they delivered the Message, and that his Excellency was pleased to signify to them, that he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Murdock, and three more, do present the Address.

Mr. Nicholas Goldsborough delivers to Mr. Speaker a Bill entituled, An Act to preserve the Honour and Independency of the House of Delegates; which was read the first Time, and ordered to lie on the Table.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to settle the Divisions between Frederick and Baltimore Counties; and also between Dorchester and Worcester Counties: And a Bill entituled, An Act to license Hawkers, Pedlars, and petty Chapmen: Which Bills were severally read the first Time, and ordered to lie on the Table.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

Tuesday Morning, May 22, 1750. May 22 p. 46

The House met according to Adjournment: the Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

On motion that a Bill be brought in, to continue the Act for Encouragement of Jonas Green, of the City of Annapolis, Printer; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

Mr. Jonas Green, Printer, on his Application to this House, hath Leave to print Books, Notes, and Manifests, for the Inspectors, at 2 l. 10 s. Current Money for each Inspection: Ordered, That it be inserted in the Supplementary Bill to the Act for Amendment of the Staple of Tobacco.

Col. Colvill delivers to Mr. Speaker An Additional Supplementary Act to the Act entituled, An Act for laying out and erecting a Town at a Place called Long Point, on the West Side of North-East River, in Cæcil County; which was read the first Time, and ordered to lie on the Table.

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Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the Tryal of all Matters of Fact in the several Counties, &c. The Bill entituled, An Act continuing an Act entituled, An Act for the speedy Recovery of small Debts, &c. And the Bill entituled, An Act continuing an Act entituled, An Act for the better Relief of poor Debtors: Severally Indorsed, "By the Upper House of Assembly, May 22, 1750: Read the second Time, and will not pass.

"Signed per Order, J. Ross, Cl. Up. Ho."

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, A Supplementary Act to the Act entituled, An Act for the Ease of the Inhabitants in examining Evidences, &c. Indorsed, "By the Upper House of Assembly, May 22, 1750: Read, and will not pass." And

The Bill entituled, An Act to remedy some Evils relating to Servants, Indorsed, "By the Upper House of Assembly, May 22, 1750: Read the second Time, and will pass, the last Clause but one being left out.

"Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was read here, and, with the Alteration proposed, passed for Ingrossing.

p. 47 On motion that a Bill be brought in, to enlarge the Allowances to Jurors and Witnesses, summoned to attend the Provincial Court; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

Mr. Robert Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to encourage the destroying of Squirrels and Crows in the several Counties therein mentioned; which was read the first Time, and ordered to lie on the Table.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker a Petition of Philip Cazear, a languishing Prisoner in Cæcil County Goal, praying to be released, on giving Security to pay what (if any Thing) shall be decreed against him in a Court of Chancery: Leave is given to bring in a Bill according to Prayer.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. John Goldsborough, Capt. Paca, and Capt. Lux, appeared in the House.

On reading the second Time the Bill entituled, An Act for processioning of Lands, &c. the Question was put, Whether the said Bill shall pass; or Not? Resolved in the Negative.

L. H. J.
Liber No. 47
May 22

For the Negative,

Mr Mills,	Mr Smallwood,	Mr Sheredine,
Barnes,	Stoddert,	Paca,
Smith,	Lee,	Lux,
Richard Lloyd,	Wilson,	Hopper,
Carroll,	R. J. Henry,	Wilkinson,
Worthington,	Waggaman,	Davis,
Bordley,	N. Goldsborough,	Robins,
J. J. Mackall,	J. Goldsborough,	Selby,
Heighe,	Sulivane,	Scarborough,
B. Mackall,	Lecompte,	J. Henry,
B. Bond,	Travers,	Prather.

For the Affirmative,

Mr Z. Bond,	Mr Baker,	Mr Murdock,
Key,	Colvill,	Gordon,
Wilmer,	Hyland,	Dulany,
King,	Wootton,	Chaplain,
Robert Lloyd.	Addison,	Owen.
Oldham,	Sprigg,	

The Bill entituled, An Act continuing an Act entituled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, &c. was read the second Time, and passed. p. 48

The Bill entituled, An Act to oblige Owners, Overseers, and Managers of Iron-Works, &c. was read the second Time, and passed.

Which Bills were sent to the Upper House by Major Sheredine and Mr. Lecompte.

Major Sheredine delivers to Mr. Speaker a Bill entituled, An Act for the further Enlargement of Baltimore-Town in Baltimore County; which was read the first Time, and ordered to lie on the Table.

The Petition of George Catto and Araminta his Wife was read, and Leave given to bring in a Bill according to Prayer.

The Bill entituled, An Explanatory Act to the Act entituled, An Act for the Direction of Sheriffs, &c. was read the second Time, and passed; and sent to the Upper House by Capt. Paca and Mr. Z. Bond.

The Governor communicates to Mr. Speaker the following Message; viz.

Gentlemen of the Lower House of Assembly,

I Have considered your Address of the 19th Instant, in Answer to my Message of the 18th, with all the Attention I am capable of; and tho' I have at all Times the greatest Regard for the Opinion of your House, I must own myself unacquainted with any Violation

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of Trust, that can in Justice and Equity deprive Mr. Bladen of the Right he has to be repaid the Money he has advanced out of his own Pocket for the Service of the Public.

He appears on the contrary to me, in the whole Transaction of Building the Governor's House, to have acted with the greatest Integrity and Care, to the best of his Judgment, in Pursuance of the Trust reposed in him by the Act of Assembly; and tho' like most other Gentlemen, that have to do with Workmen, even in their private Affairs, he may have exceeded the Expences at first proposed, the Money is proved upon Oath to be justly and truly laid out, and the Public stands possessed of the Building, which is valuable in Proportion to the Money that has been expended upon it.

Thus much I have thought myself obliged to say, in Justice to a Gentleman who is absent, as well as in Vindication of myself; and however liable I may be to Mistakes, I hope you will do me the Jus-

p. 49 tice to believe, that I shall never recommend any Thing to you as just and reasonable, but what I at least take to be so.

May 22, 1750. Sam. Ogle.

On motion that a Bill be brought in, to oblige the Naval Officers to give sufficient Bonds for what Moneys they shall receive belonging to the Public; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

On motion that a Bill be brought in to prevent the clandestine Importation of Rum into this Province; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker a Petition of James Sterling, Rector of St. Paul's Parish in Kent County, Thomas Ayres, Sarah Waltham, in Behalf of her Son John Waltham, an Infant: And a Petition of the Inhabitants of the Northern Fork Branch, &c. of Nanticoke River: Severally Indorsed, "Read, and referred to the Consideration of the Lower House of Assembly."

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, A Supplementary Act to the Act entituled, An Act for causing Grand and Petit Jurors and Witnesses to come to the Provincial and County Courts, and ascertaining their Allowances; which was read the first Time, and ordered to lie on the Table.

Mr. Robert Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, A Supplementary Act to the Act entituled, An Act to impower the Justices of Queen Anne's County Court to sell the Materials of the old Prison of that County, and the Produce thereof to apply as therein directed; which was read the first Time, and ordered to lie on the Table.

The Governor communicates to Mr. Speaker the following Message; viz. L. H. J. Liber No. 47 May 22

Gentlemen of the Lower House of Assembly,

The inclosed Letter to me from Col. Cresap, relating to the Behaviour of the Indians, I have thought proper to lay before your House, for your Consideration.

Sam. Ogle.

To his Excellency Samuel Ogle, Esq; Maryland. p. 50

May it please your Excellency,

I Have just now received Advice by a Man of Credit from the Ohio, that the Indian Chiefs, who intended to have waited on your Excellency last Fall, were all ready to set out on their intended Journey; but the Pennsylvania Traders industriously set on them, and told them, that they would be put in Prison and hanged, for the Man of Mr. Parker's that was killed by the Indians; and many other frightful Stories; which deterred them from their intended Journey. I have had sundry Companies of Indian Warriors passing and repassing, some of which have been very insolent and saucy; in particular, a Company of about 44, who had three Women and two Boys Prisoners with them, taken from the Catawbees, while the Men were out hunting. The Men coming home at Night from their Hunt, to their great Surprize, found their Wives and Children, some killed and some taken away; they pursued the Enemy, and in some Days came up with them, and fought them for a considerable Time; but being overpower'd by a superior Number, they drew off for a Time, and then came up again, and attacked them twice more; and by what I can learn from them, would have overcome them, if a Company of 25 Warriors of the Six Nations had not met the others who had the Prisoners; who say they killed three of the eight Catawbees, and the rest made their Escape: They say they were 60 in Number of the Five Nations; but whether it was with the 25 or no, I am not sure; but if it was without, they must have left 40 odd Men at least. These Indians stayed at my House four Days, and complained of Hunger; I gave them at their first coming two Bushels of Meal, and one Bushel of Corn; and as it was bad Weather, I took the three Captains in my House to lodge; they being very naked for Cloaths, complained that they had lost their Cloaths and Guns almost all in Fight; and one of the Captains told me, that he was Conasadago's Brother, who was the Speaker at the Treaty of Lancaster. They held several Councils here, and told me that I was their Brother, and that they had given me this Land, and that they had no Powder or Lead to carry them home; but that I must give them Powder and Lead and Knives and Flints and Stockings and Tommyhawks, and mend their p. 51 Kettles and Guns; on which I gave them 20 lb. Weight of Powder, and some Lead; but they not being satisfied, called another Council,

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and wanted more Victuals: I then gave them two Flitches of Bacon, and four Bushels of Meal; they complaining they wanted on the Road, and in Hopes of being rid of them; but stayed, and eat up the Victuals given them. They then called a third Council, and wanted me to give them a Cow, which I told them I could not do; at which they began to be mad, and told me I was not good: On which I told them, if they wanted to fight to let me know, for if they killed my Cow I would kill them; and so quitted their Council, and loaded my Guns, expecting to have had a Fight: They went to their Cabin, loaded their Guns, and fired off several, and ran about shouting and whooping all Night. Next Morning I found several of my Hogs shot with Arrows; they stole sundry Things, and went off. When they came to my House, they brought two fine large pacing Mares, which were worth at least 20 l. each, which they had stole as they came along: I told them, that there were several white Men coming armed to fetch the aforesaid Mares, and therefore I thought it their best Way to let the Creatures go; but they would not hearken to me: For instead of letting them loose, they hoppled them, and kept them close by their Cabbins 'till they went off, and then took them away with them.

The Burden is so great on me in supporting these Indians, that my Patience is quite tired out; so that if the Government will not allow me something towards the Expence, I must, tho' contrary to my Inclination, of Necessity enter into a Quarrel with them, at the Risque of my own Life, and Family's also; which may cost the Government more than allowing them 30 or 40 l. per Year, or perhaps less, for three or four Years to come; and it may in that Time be over. I shall Tomorrow Morning set out to finish the Meridian Line; but hope to see your Excellency the Beginning of next Month. I am, in all Respects,

Your Excellency's most humble Servant,

Thomas Cresap.

March 17, 1749||50.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

May 23 p. 52

Wednesday Morning, May 23, 1750.

The House met according to Adjournment; the Members were called, and all appeared as Yesterday, except Mr. Baker.

Mr. Crabb appeared in the House.

The Petition of the Rector and Vestrymen of Great Choptank Parish, in Dorchester County, praying Leave to bring in a Bill, to enable the Vestrymen, or the major Part of them, and their Successors, to lease that Part of the Church Land which is not impaled; Leave is given.

Col. Colvill delivers to Mr. Speaker a Bill entituled, An Act for the Relief of Philip Cazear, a languishing Prisoner in Cæcil County Goal; which was read the first Time, and ordered to lie on the Table. L. H. J. Liber No. 47 May 23

Mr. Robert Lloyd, from the Committee of Laws, delivers to Mr. Speaker an Ingrossed Bill entituled, An Act to remedy some Evils relating to Servants; which was read and assented to.

The Governor communicates to Mr. Speaker the following Message; viz.

Gentlemen of the Lower House of Assembly,

I Think proper to lay before you a Letter from Mr. Attorney-General; by which you will find, several Bonds have been put in Suit, agreeable to the Desires of the House of Delegates in former Assemblies; and you will perceive how the several Matters mentioned in that Letter are circumstanced: And I am sorry to observe the Deficiency that accrues to the Public, by unforeseen and unavoidable Accidents, in the Money received by several Sheriffs.

Sam. Ogle.

May it please your Excellency,

Several Sheriffs, and one or two other Officers, had omitted to make Payments of some Money, which they had received for, and owed to the Public: Whereupon, the Lower House of Assembly, in the Year 1746, addressed Mr. Bladen, then Governor, to give Orders to the Attorney-General to put in Suit the several Sheriffs Bonds; unless, by a certain Day therein limited, they made Payments of their respective Ballances, due from them to the Public. Upon which Address, the Governor was pleased to give me Orders to sue the said Sheriffs Bonds; and the following Bonds were put in Suit, soon after the limited Time had elapsed; viz. p. 53

Edward Tripp, late Sheriff of Dorchester County, his Bonds, dated July 13, 1740; August 13, 1741; October 9, 1742.

Richard Porter, of Talbot, his Bonds, dated November 3, 1742; November 3, 1743.

Benjamin Bradford, of Cæcil, his Bonds, dated November 11, 1740; November 13, 1741.

And in October Term, in the Year 1747, by Orders I received from your Excellency and Council, I put in Suit the other following Bonds; viz.

John Parran, late Sheriff of Calvert County, his Bond, dated September 29, 1740.

Walter Hanson, of Charles County, his Bond, dated July 7, 1740. (This has been since paid.)

James Rigby, of Baltimore, his Bond, dated November 6, 1742.

John Risteau, of Baltimore, his Bond, dated November 6, 1744.

John Thompson's, of Cæcil, dated November 16, 1744. (This has been since paid.)

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James Martin's, of Worcester, dated December 14, 1741; December 12, 1743. (These have been since paid.)

I take the Liberty further to inform your Excellency, that at the same Court, by Order of your Excellency, upon the Address of the Lower House of Assembly, Robert Ungle's Treasurer's Bond was put in Suit, which bore Date July 3, 1714; And in April Term, 1748, by Order of your Excellency and Council, Philip Lee's Naval Officer's Bond, dated August 7, 1733, was also sued; but how properly that may be called a Naval Officer's Bond, which seems to be taken as a private Bond, payable to you, and for your own private Security, it being conditioned to save you harmless, and keep you indemnified from any Damages which you might sustain, by reason of any Slip or ill Conduct of the said Lee, in the Execution of his Office; and this is the only Bond I can find, that he ever passed in that Office; and as your Excellency has sustained no Damage, I believe it will be impossible for any other Person, or the Public, to recover any Thing on that Bond. However, that Suit is now abated by the Death of both his Executors; and if I am ordered to sue again for that Money, I must proceed differently.

Thus, Sir, in Obedience to the Orders I have received from your Excellency since your Arrival, and in Observance of those I had received of Mr. Bladen, when Governor, the several Bonds directed to be put in Suit have been sued, and to these Suits the Parties have severally appeared, and the Sheriffs have all pleaded a Performance
p. 54 of the Conditions of their several Bonds. I have replied, and assigned the Breaches; to wit, That they had severally collected Money due to the Public for Ordinary Licenses, or public Assessments (as the Case happened); which Moneys they had not paid into the Commissioners or Trustees of the Paper Currency Office, as by Law they ought to have done. To which Replication they have rejoined, and say, That they have paid unto the Commissioners or Trustees, the said Moneys by them received; and upon these Pleadings the Issues are made up, and the single material Point issuing from the whole is, Whether they had paid that Money to the Commissioners, or no? Upon which Issue we have had two Tryals on one of Edward Tripp's Bonds; the first being set aside, by reason that the Foreman of that Jury was not a qualified Juror; but both Verdicts were in Favour of the Sheriff, it appearing on the Tryals that the Payment was made to William Ghiselin, late Clerk of the Paper Currency Office, during the Time of his Clerkship; and in Support of which Payment, the said Sheriff shew'd a Receipt of the Money we had charged him with, in the Hand-writing of the said Ghiselin, signed by the said Ghiselin, and mentioned in the Body of the Receipt to be taken by Order of the Commissioners, or subscribed, William Ghiselin, Clerk of the Paper Office. And tho' this was proved to be taken without the Knowlege or Consent of the Commissioners, and

was well known never to have come to their Hands; yet the Juries have been of Opinion, that Payments made to their Clerk shall be taken as Payments made to the Commissioners themselves; and so both Juries have given their Verdicts. L. H. J. Liber No. 47 May 23

The Causes still depending on the several Sheriffs Bonds, I believe are all circumstanced like this, the Pleadings and Issues are the same, and I presume the Evidence is alike.

I have now given your Excellency all the Account I am able of the several Sheriffs Bonds under my Direction; that of the Naval Officer's is abated, as I have already mentioned; and that of the late Treasurer's, I mean Mr. Ungle's, seems to me to be irrecoverably lost, or if to be had, to be recovered only of the Executors of Richard Bennett, deceased. I cannot give your Excellency a better and more full State of that Case, than by inclosing a Copy of the Report of the Committee appointed to inspect the Arms, Ammunition, and Accounts relating thereto, September 27, 1745; to which I must pray Leave to refer you. p. 55

I don't remember that there is, or has been, any Thing else of a public Concern immediately under my Management or Direction, unless it was that at the Time of Mr. Hyde's sailing; and when the whole Country seemed to be thrown into some Confusion on that Incident, I received verbal Orders from the late Governor, to use my Endeavours to secure to the Public the Money which had been lodged in Mr. Hyde's Hands, for the Purchase of Arms and Ammunition; and on the same Day I received those Orders, I issued out a Writ in his Lordship's Name against the said Samuel Hyde, in order to obtain an Attachment for his Effects; but when the said Writ was returned, we could not find any of his Effects, or indeed any Person indebted to Hyde, in whose Hands we could lay our Attachment; and so the Suit became fruitless and of no Avail.

Thus, Sir, I have done myself the Honour to lay before you the State and Condition of the several Suits I have received Orders from the Government to commence: I flatter myself that I have not been wanting in my Duty; but I fear, that the public Expectations will not be answered: However, I shall proceed to discharge the Part assigned me, and endeavour always to approve myself

Your Excellency's Most obedient, and
Very humble Servant,

December 27, 1749. H. Darnall.

P. S. I take the Liberty further to inform your Excellency, that since I wrote the within State of the sundry Affairs committed to my Management, I have had an Opportunity of seeing a Receipt given to Mr. Jeremiah Nicholls; which was given in Evidence on Tryals abovementioned, the Lord Proprietary against Tripp; and I find it to be in the Words and Figures following; viz.

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May 21st, 1743.

Then Received of the above Mr. Jeremiah Nicholls the above Sum of Fifty six Pounds two Shillings and six Pence. I say received per Order of the above Commissioners,

per Wm. Ghiselin.

I have thought proper to take Notice of this, because it is observ-
p. 56 able that such Receipts were usually given for the Moneys, when paid into the Office: Whereas, that of Mr. Trippe's, for the Money on which he was sued, is subscribed differently; viz.

Per Wm. Ghiselin, Clerk of the Loan Office.

As there was this Diversity in the Receipts, and as this Diversity was taken Notice of on the Tryals, I thought proper to add this Information to the State I have already given: being desirous of settling every Thing relating to this Affair, in the fullest and clearest Light I could; being, as before,

Your Excellency's most obedient Humble Servant,

May 17, 1750. H. Darnall.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Parishioners of King and Queen Parish in St. Mary's County, praying Leave to bring in a Bill to build a Chapel of Ease, and to oblige the Incumbent to preach every other Sunday thereat; Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House."

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to enable the Vestrymen and Churchwardens of King and Queen Parish in St. Mary's County, to sell a certain Tract of Land, &c. The Bill entituled, An Act to enable the Justices of Kent County Court to levy a Quantity of Tobacco, &c. The Bill entituled, An Act impowering the Justices of Prince George's County to levy on the taxable Inhabitants of Queen Anne Parish in the said County, Fifty Pounds, &c. The Bill entituled, An Act to enable the Justices of Baltimore County Court to assess on the Taxables of St. George's Parish a Sum of Money, &c. And the Bill entituled, An Act impowering the Justices of Charles County Court to assess and levy a Quantity of Tobacco, &c. Indorsed, "By the Upper House of Assembly, May 23, 1750: Read the second Time, and will pass." Which Bills were severally read here, and passed for Ingrossing.

The Governor communicates to Mr. Speaker the following Message; viz.

Gentlemen of the Lower House of Assembly,

I Have received the inclosed Letter and Account from the Deputy
p. 57 Governor of the Massachusetts Bay, in relation to the Prisoners belonging to this Province, which were brought from Quebeck to

Boston; which I have thought proper to lay before you for your Consideration. L. H. J. Liber No. 47 May 23

Sam. Ogle.

Boston.

Sir,

I am informed his Excellency Governor Shirley had settled an Agreement with the Governor of Canada (so far as related to this Government), that the Charge of transporting English Prisoners should be defrayed by the English Governments, and the Charge of transporting French Prisoners by their Government; and that upon his Excellency's informing the Governors of the neighbouring Colonies, the most of them had signified their Approbation of this Method. I am likewise informed, that in the Year 1746, there were brought into this Province, in a Flag of Truce sent by the Governor of Canada, called the Le Vierge de Grâce, a great Number of English Captives; some of them being Europeans, but the most of them belonging to the English Provinces and Colonies in America: And that about the same Time his Excellency had sent a Flag of Truce to Canada, with French Prisoners, at the Expence of this Government; and that his Excellency sent circular Letters to the Governors of the English Colonies aforementioned, with Lists of the several Prisoners belonging to their respective Governments; wherein he informed them, that as soon as the Accounts of the Charges of the Flags of Truce, and the Proportions of the several English Governments thereto, were adjusted, he would send them to the said Governors, that so they might reimburse the Governor of Canada what Charges he had been at, for transporting the English Prisoners belonging to their Government. Soon after this, the Court-House in Boston was burnt, and therein all the Papers relating to the fitting out the French Flag of Truce; which made it necessary that those Accounts shou'd be had from Canada, in order to state the particular Part each of the English Governments ought to bear, to the Charge of transporting their Prisoners; and I find the said Accounts were sent here a little before Governor Shirley's Departure: And an Account has been stated between the said Governor Shirley and the Governor of Canada, and sent to Quebeck, by a Person gone there for the Redemption of Captives; and the Governor of Canada has been assured, that all possible Care should be taken for recovering from each Government their Proportion of the Charge. p. 58

I shall now send your Honour a Copy of the Account, by which you will perceive, the Number of Persons belonging to your Governments is Nine; and the Proportion of the Charge 319 l. 15 s. 4 d. which I must pray your Honour would cause to be paid into my Hands as soon as may be, and the same shall be remitted to the Governor of Canada: And I doubt not your more ready Compliance,

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when you consider, as appears by the Account, that this Province will be obliged to pay in Proportion beyond any other Government; as the greatest Part of the Charge of the Europeans, and other uncertain Persons, both in this Vessel, and another sent to Louisburg, will fall upon them. I am, Sir,

Your Honour's most humble, and
Most obedient Servant,
S. Phips.

The Charge of the Ship La Vierge de Grace amounted, as appears by the Contract, to 10,000 Livres; each Livre being valued at ten Shillings of the Currency of New England, makes the Sum of 5000 l.

The Proportion of each Concern, or Interest, in said 5000 l. is as follows.

59	Massachusetts Bay,	2180 4 8	
16	The same taken at Nova-Scotia,		
29	New-York,	843	0 5
6	New Hampshire,	174	8 5
6	Pennsylvania,	174	8 5
6	Rhode Island,	174	8 5
2	Connecticut,	58	2 9
2	New Jersey,	58	2 9
1	Bermuda,	29	1 5
1	Shirley Galley,	29	1 5
1	Annapolis Royal,	29	1 5
9	Maryland,	319	15 4
17	European,	494	2 8
11	Taken in Nova Scotia,	261	12 6
6	Uncertain,	174	8 5
172		£. 5000	0 0

Per J. Wheelwright, Commissary General.

Boston, New England, Sept. 12, 1749.

p. 59 A List of Prisoners, which arrived at Boston from Quebeck, in the Ship La Vierge de Grace, belonging to the Province of Maryland; viz.

Thomas Craige,	Joseph Chew,	Henry Smith,
Thomas Hailey,	James English,	Martin Winyard,
Robert Aotrice,	Thomas Archer,	Edward Lloyd.

Col. Colvill delivers to Mr. Speaker a Bill entituled, An Act to enable George Catto, of Cæcil County, Gentleman, and Araminta his Wife, Executrix of William Alexander, late of the County aforesaid, her former Husband, deceased, to sell Lands; which was read the first Time, and ordered to lie on the Table.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

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May 23

The House met according to Adjournment.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Explanatory Act to the Act entituled, An Act for the Direction of Sheriffs in their Offices, and restraining their ill Practices within this Province; Indorsed, "By the Upper House of Assembly, May 23, 1750: Read the second Time, and will not pass." The Bill entituled, An Act for the Gauge of Barrels for Pork, &c. And the Bill entituled, An Act to oblige Owners, Overseers, and Managers of Iron-Works, &c. Severally Indorsed, "By the Upper House of Assembly, May 23, 1750: Read the second Time, and will pass." Which Bills were severally read, and passed for Ingrossing.

The Bill entituled, An Act to impower the Justices of Prince George's County Court to agree with an Undertaker, or Undertakers, to stop a Breach, &c. The Bill entituled, An Act for the further Enlargement of Baltimore-Town, &c. The Bill entituled, An Act to settle the Divisions between Frederick and Baltimore Counties, &c. And the Bill entituled, An Additional Supplementary Act to the Act entituled, An Act for laying out and erecting a Town at a Place called Long Point, &c. Were severally read the second Time, and passed; and sent to the Upper House by Mr. Bordley and Mr. Oldham.

Dr. Carroll delivers to Mr. Speaker the following Report; viz.

By the Committee appointed to enquire into the Will of Col. Thomas Smithson, deceased, and Report the same to the House; what Estate he bequeathed by his said Will to the Rector, Visitors, &c. of the Free School in the City of Annapolis, of those Lands; and also what Estate the said Rector, &c. have in the Lots lying in the City of Annapolis, mentioned in the Bill sent down from the Upper House, May 23, 1750. p. 60

Your Committee observe, that by an Act of Assembly of this Province entituled, An Act for erecting Anne Arundel and Oxford Towns into Ports and Towns, a Quantity of Land was laid out for the said Town of Anne Arundel, and divided into Lots; which were, by the same Act, to be numbered 1, and upwards; the first Choice of which Lots was given to the Owners of the Lands; the next Choice, to Francis Nicholson, Esq; Governor of this Province at the same Time, of one, two, or three Lots; which your Committee conceive, the said Nicholson may have made, as the following Clause appears in an Act of this Province entituled, An Act for keeping good Rules and Orders in the Port of Annapolis; viz. 'And be it further Enacted by the Authority aforesaid, That all those Deeds, Obligations, Writings, and Evidences, made by and between his Excellency Francis Nicholson, Esq; Captain-General and Governor

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of this Province, of the one Part, and Anthony Workman, of Kent Island in the County of Talbot, of the other Part, and William Freeman, Bricklayer, of Philadelphia in Pennsylvania, of the other Part, concerning a Lot of Land in the said Town, and building a House thereon, to the Use of the said Anthony Workman, during his natural Life; and after his Decease, to the Use of the Free School of this Town for ever; bearing Date the eighth Day of June, Anno Domini 1696, and ordered to be recorded in the Journal of the Governor and Council, and the House of Burgesses of this General Assembly; be of absolute and full Force, and available in Law, to the Uses therein expressed, according to the true Intent and Meaning thereof; any Defect in Form, or Want of Form, in the same notwithstanding.'

Your Committee have made diligent Search in the Journals of the Honourable House of Delegates, for the Years 1696, 1697; but cannot find the Deeds, Obligations, Writings, or Evidences, in the said Act mentioned to be recorded in the said Journals: And your
p. 61 Committee likewise applied to the Clerk of the Council, to know if the said Deed, Obligations, or Evidences, were recorded in the Journals of the said Council; who answered, that he had made diligent Search, but could not find the same in the said Journals.

Your Committee, upon Enquiry, find, that Dr. George Steuart, Mr. John Lomas, and the Heirs of Mr. Hugh Kennedy, deceased, are in Possession of the said Lots, under Leases, or Promises of Leases, from the Visitors of the Free School, or King William's School, in the City of Annapolis; and that they, or some of them, or those under whom they or some of them derive their Title, have been so possessed for 30 Years last past, or more. Your Committee find in the Land-Office, that a certain Emanuel Jenkinson, of Talbot County, had surveyed for him a Tract of Land called Surveyor's Forest, lying in Dorchester County, on the South Side of Great Choptank River, for 650 Acres, as by the Certificate thereof, bearing Date March 10, 1682, may appear. We likewise find in the said Land-Office an authentic Assignment, well drawn, from the said Emanuel Jenkinson, dated the 1st Day of April, 1683, to Thomas Smithson, of Talbot County, Gent. in Consideration of 2400 lb. of Tobacco, for the said Land called Surveyor's Forest. We also find in a Copy of the last Will and Testament of Col. Thomas Smithson, heretofore of Talbot County, deceased, from the Prerogative Office, the following Clauses; viz. 'My Land called Surveyor's Forest, in Dorchester County, I give to my Sister Dorothy, the Wife of Michael Fletcher, of Richmond in Yorkshire, in Great Britain, and to the said Michael her Husband, and to any Husband she may happen to have, for their Lives, and the Life of the longest Liver; the Remainder to the lawful Issue of my said Sister; and for Default of such Issue, to the Visitors of the Free Schools in Mary-

land, and their Successors, for ever. Provided always, my Wife, if she survives me, shall have the Use of the said Land, and Plantation thereon, and the Service of all the Negroes to the Plantation belonging, or accounted to belong to it, 'til my Sister or her Husband arrives within the Capes of Chesapeak Bay; and if they, or either of them, never arrive, then my Wife shall have the said Plantation and Negroes for her Life: My Will is, that my Negroes commonly called Dick, Will and Maria, shall be accounted as belonging to that Plantation; all which Negroes so to that Plantation belonging, I do affix and make regardant to the Land called Surveyor's Forest, never to be removed from it, but to go along with the Land in Descent and Remainder as afore limited; and that they shall have two Acres of convenient clear Land fenced, wherein to plant to their own Use what they please, for which my Will is that they have a reasonable Time allowed. All other my Goods and Chattels whatsoever I give to my Wife, if she survives me. Provided always, That if the Rector and Visitors of the Free Schools discharge me or my Executrix of five hundred Dollars, Part of their Money I have in my Hands, to be by my Executrix sent in Specie, or by Bills of Exchange, remitted to my Ssister, if she survives me, whom I would not have come into this Country; then the said Rector and Visitors, and their Successors, shall have the Plantation and Land of Surveyor's Forest, immediately after the Death of my Wife: But if my Sister, nor her Husband, do not survive me, then the said Rector and Visitors shall immediately succeed my Wife, they paying or discounting one hundred Dollars to defray the Charge of my Funeral. Item, I will, that whilst my Wife shall have the Use of the Plantation last mentioned, and Service of the Negroes there, she shall also have the Use and Benefit of the Hogs and Cattle there. But if the said Plantation and Negroes ever come to my Sister or her Husband, or either of them, they shall have all Cattle and Hogs, to do with them as they will: But what Cattle or Hogs my Wife shall have on the Plantation, shall go with the Land to the Visitors of the Free Schools, and their Successors, for Maintenance of the Negroes.'

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All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, Wm. Wilkins.

The Bill entituled, An Act for the Sale of certain Lands and Houses belonging to the Free School in the City of Annapolis, called King William's School, was read the second Time and will pass, the following Clause being inserted after the Word contained, in the 13th Line of the 2d Page; viz.

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'And be it further Enacted by the Authority, Advice, and Consent, aforesaid, That the Rector and Visitors of the said King William's School shall, and they are hereby obliged and directed, to lay

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out the Money arising by the Sale of the said Land called Surveyor's Forest, and the said Lots and Houses in the City of Annapolis, at Interest, on good Security, for the Use of the said Free School; and that the annual Interest arising therefrom shall be applied towards the Payment of a Master, Masters, or Usher, of the said School, and to no other Use or Purpose whatever.'

Was sent to the Upper House by Capt. Lux and Mr. Smith.

Mr. Sulivane delivers to Mr. Speaker a Bill entituled, An Act to enable the Rector and Vestrymen of Great Choptank Parish in Dorchester County to lease some Land belonging to the said Parish unimproved; which was read the first Time, and ordered to lie on the Table.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act continuing an Act entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green of the City of Annapolis, Printer; which was read the first Time, and ordered to lie on the Table.

The Bill entituled, A Supplementary Act to the Act entituled, An Act to impower the Justices of Queen Anne's County Court, to sell the Materials of the old Prison, &c. And the Bill entituled, An Act for the Relief of Philip Cazear, &c. Were severally read the second Time, and passed; and sent to the Upper House by Mr. Stoddert and Mr. Wilmer.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

May 24

Thursday Morning, May 24, 1750.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

The Petition of the Rev. Mr. James Sterling, and others, was read: Ordered, That Mr. Key, Col. R. J. Henry, and Mr. Bordley, be a Committee to enquire into the Facts and Allegations therein contained, and report the same to the House.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for Limitation of Officers Fees; which was read the first Time, and ordered to lie on the Table.

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Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to oblige Naval Officers to give sufficient Bonds, for what Moneys they shall receive belonging to the Public; which was read the first Time, and ordered to lie on the Table.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker a Petition of several Inspectors in Prince George's County; Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House." L. H. J. Liber No. 47 May 24

The Petition of the Inhabitants of the North-West Fork and North-East Branch of Nanticoke River, and the Inhabitants of Nanticoke Hundred, in Worcester County, praying to be erected into a new Parish, to be called St. Andrew's Parish; was read, and referred for Consideration the next Assembly. Ordered, That the Petitioners give Notice to all Parties concerned, by serving them with a Copy of the Petition now preferred.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

On considering Mr. Phips's Letter to his Excellency the Governor, and the Accounts sent therein inclosed, communicated to this House: Resolved, That this House will not raise any Money for the Purpose required by the said Letter.

On Consideration of the Letter from Col. Cresap to his Excellency, communicated to this House: Resolved, That this House will not consent to burthen the People of this Province, by raising any Money for the Purpose required by the said Cresap.

Ordered, That an Address be prepared to his Excellency in Answer to the aforegoing Message; and that the Committee of Laws do prepare and bring in the same.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to settle the Divisions between Frederick and Baltimore Counties, &c. The Bill entituled, An Additional Supplementary Act to the Act entituled, An Act for laying out and erecting a Town at a Place called Long Point, &c. The Bill entituled, A Supplementary Act to the Act entituled, An Act to impower the Justices of Queen Anne's County Court to sell the Materials of the old Prison, &c. The Bill entituled, An Act to impower the Justices of Prince George's County Court to agree with an Undertaker, or Undertakers, to stop a Breach, &c. The Bill entituled, An Act for the further Enlargement of Baltimore-Town, &c. And the Bill entituled, An Act for the Relief of Philip Cazear, &c. Severally Indorsed, "By the Upper House of Assembly, May 24, 1750: Read the second Time, and will pass." Which Bills were severally read, and passed for Ingrossing. p. 65

Col. Sprigg and Mr. Murdock are added to the Committee of Laws.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

L. H. J.
Liber No. 47
May 25

Friday Morning, May 25, 1750.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

On reading the second Time the Bill entituled, An Act to license Hawkers, Pedlars, and petty Chapmen; the Question was put, Whether the said Bill shall pass; or Not? Resolved in the Affirmative.

For the Affirmative,

Mr Richard Lloyd,	Mr N. Goldsborough,	Mr Wootton,
Wilmer,	J. Goldsborough,	Sprigg,
J. J. Mackall,	Robert Lloyd,	Robins,
Heighe,	Oldham,	Selby,
B. Bond,	Sulivane,	Scarborough,
Smallwood,	Hooper,	Chaplain,
Lee,	Lecompte,	Owen,
King,	Travers,	Prather.
R. J. Henry,	Colvill,	

For the Negative,

Mr Z. Bond,	Mr Stoddert,	Mr Gordon,
Mills,	Wilson,	Dulany,
Key,	Waggaman,	Hopper,
Barnes,	Hyland,	Wilkinson,
Smith,	Sheredine,	Davis,
Carroll,	Paca,	J. Henry,
Worthington,	Lux,	Crabb.
Bordley,	Addison,	
B Mackall,	Murdock,	

p. 66 Which Bill was accordingly Indorsed, "Read the second Time, and will pass."

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. N. Goldsborough, from the Committee of Grievances, delivers to Mr. Speaker the following Report; viz.

By the Committee of Grievances and Courts of Justice,
May 25, 1750.

Your Committee take Leave to lay before the Honourable House the Complaint of Aaron Nalley, of Charles County, which is as follows; viz. That in the Year 1747, Samuel Hanson, Sheriff of the

said County brought an Action against the said Nalley in the County Court, for the Recovery of a Sum of Tobacco due from the Predecessor of the said Nalley; to which Action the said Nalley appeared and gave Judgment the first Term; and being told by the said Court to get special Bail, went out, and in a short Time returned to the Court, and offered a certain Henry Martin, a Freeholder of the same County, for his Bail; and then went home about his Business, supposing the same had been taken; and in about six Weeks time paid the Ballance of the said Debt, and Cost on said Suit, to a certain Matthew Barns, of the said County, for the Use of the said Hanson; not in the least doubting, but that he was then quite clear of any Demand on Account of that Judgment, by any Person or Persons whatsoever: 'Til about six Months after the Payment of the said Tobacco, to his great Surprize, the said Matthew Barns acquainted him that he was then his Prisoner, and had been such from the Time the Court had directed him to get special Bail to the aforesaid Action: he the said Nalley being committed to him, as one of the Coroners of the said County, for not giving such Bail; and some Time afterwards, on seeing the said Barns, again was told by him, that if he did not pay him the Tobacco due on his Imprisonment Fees, he would actually sue him: And accordingly, by Mr. Jeremiah Chase, his Attorney, (on the Terms of No Purchase no Pay) did bring his Action on the Case, upon an Indebitatus assumpsit, against him the said Nalley, in the Sum of 4041 lb. of Tobacco, as by an Account from the Record thereof, hereunto annexed, at large may appear: And altho' the said Nalley employed a Lawyer in the Cause, and paid him his Fee; yet, nevertheless Judgment went by Default against him, and Damages assessed by the Court for the aforesaid Sum of 4041 lb. of Tobacco, and 244 lb. Tobacco Cost; altho' it does not appear to your Committee, that the Plaintiffs Account was proved, or if it had, as the Case is circumstanced, that it ought in any Shape to have been allowed.

L. H. J. Liber No. 47 May 25

p. 67

All which is humbly submitted to the Consideration of the House.

Signed per Order, Wm. Wilkins, Clerk.

On reading the said Report, Ordered, That the Clerk do issue Summons for Mr. Walter Hanson, Mr. Robert Yeates, Mr. Daniel of St. Thomas Jenifer, and Mr. Matthew Barnes, to attend at the Bar of this House, on Wednesday next, the 30th Day of May, to answer the Complaint therein set forth. And,

Mr. Nicholas Goldsborough, from the Committee of Aggrievances, delivers to Mr. Speaker the following Report; viz.

By the Committee of Grievances and Courts of Justice,
May 25, 1750.

Peter Dent, of Charles County, complains, that last April was twelve Months, being at Bryan-Town in the said County, a certain

L. H. J. Liber No. 47 May 25

Robert Yeates, a Magistrate of the said County, came to him this Complainant, and abused him very grossly, by calling damn'd Rascal, damn'd Lyar, and impudent Fellow; and told him, he should never get his Ends at the Election, in carrying those he wanted to go (who the Complainant supposes to mean Mr. Lee and Mr. Wilson); and that he the said Yeates always did Justice to all Mankind: To which the said Dent replied, that he could not say so; for that he had made him ride to Port-Tobacco very often for nothing. Upon which the said Mr. Yeates applied to Capt. Allen Davis, one of the Justices of the said County, who was then present, to bind the Complainant over to the next Court, which the said Davis refused to do; upon which Refusal, the said Yeates swore he would have a Bench-Warrant, and do his Job. After which, Davis went into a House, and asked this Complainant to drink with him; where he invited him to his Muster the next Saturday, who accordingly went; and then was told by the said Davis, if he would vote for William Middleton, and not for Wilson, that he would screen him from what had happened between him and Mr. Yeates; and the Election coming on in a short Time after, the Complainant voted for Mr. Wilson, and not for Middleton; and at June Court following, was taken by the Sheriff of the County on a Bench Warrant, as Mr. Yeates had
p. 68 threaten'd him with, and carried into Court; who informed him, he was sent for, for abusing Mr. Yeates; and demanded of him, if he would confess the Thing or stand Tryal; to whom he gave for Answer, that he would stand Tryal, for that he had Witnesses to prove Mr. Yeates had first insulted him: Upon which the Court told him, he must get Bail for his Appearance at the next Court; but upon his going out to get Bail, was called back by the Sheriff, and upon his Return was told by Mr. Davis, the Court did not think fit to let him stand Tryal; and thereupon proceeded to fine him 1000 lb. of Tobacco, and obliged him to give Security for the Payment of the same before he left the Court.

All which is humbly submitted to the Consideration of the Honourable House.

Signed per Order, Wm. Wilkins, Clerk.

On reading the said Report, Ordered, That the Clerk do issue Summons for Mr. Thomas Stone, Mr. William Eilbeck, Mr. Daniel of St. Thomas Jenifer, and Mr. Allen Davis, to attend at the Bar of this House, on Wednesday next, the 30th Day of May, to answer the Complaint therein set forth.

Ordered, That Copies of the Reports be made out, and served on the Persons complained against.

On motion, the Question was put, Whether the Oath of Deputy Clerks, taken by Virtue of the Law for amending the Staple of Tobacco, &c. shall be altered in the Supplementary Bill to that Act, now before the House; or Not? Resolved in the Affirmative.

For the Affirmative,

L. H. J. Liber No. 47 May 25

Mr Wilmer,	Mr Wilson,	Mr Paca,
Worthington,	Waggaman,	Wootton,
J. J. Mackall,	N. Goldsborough,	Addison,
Heighe,	J. Goldsborough,	Hopper,
B. Mackall,	Robert Lloyd,	Wilkinson,
B. Bond,	Oldham,	Davis,
Smallwood,	Lecompte,	Crabb,
Stoddert,	Travers,	Prather.
Lee,	Hyland,	

For the Negative,

p. 69

Mr Z. Bond,	Mr Colvill,	Mr Robins,
Mills,	Sheredine,	Selby,
Barnes,	Lux,	Scarborough,
Smith,	Sprigg,	J Henry,
Carroll,	Murdock,	Chaplain,
Sulivane,	Gordon,	Owen.
Hooper,	Dulany,	

The Bill entituled, An Act to enable the Rector and Vestrymen of Great Choptank Parish in Dorchester County, to lease some Land, &c. The Bill entituled, An Act to enable George Catto, &c. And the Bill entituled, An Act continuing an Act entituled, An Act for the speedy and effectual Publication of the Laws, &c. Were severally read the second Time, and passed.

Mr. Key delivers to Mr. Speaker the following Report.

By the Committee appointed to examine into the Facts and Allegations contained in the Petition of James Sterling, Thomas Ayres, and Sarah Waltham; and to report the same to the House.

It appears to your Committee, that Rebecca Sterling and James Sterling, in the Petition mentioned, had in the Life-time of the aforesaid Rebecca, and with her express, free, and voluntary Consent, contracted and agreed with John Waltham, in the Petition mentioned, for the Sale of the Tract of Land called Huddle's Right, for the Consideration of Twenty five Shillings per Acre, to be paid on the Delivery of the Deed; and with Thomas Ayres, in the Petition also mentioned, for the Sale of the Tract of Land called Rushmore, for the Consideration of Twenty five Shillings per Acre, to be paid within the Year after the Delivery of the Deed: Pursuant to which Agreements respectively, the aforesaid John Waltham and Thomas Ayres, respectively entered into, and took Possession of, the aforesaid Tracts of Land; and they, or their Representatives, do still hold Possession thereof.——That pursuant to the Agreement aforesaid, the aforesaid Rebecca accordingly herself applied

L. H. J. Liber No. 47 May 25 to an Attorney, to draw the proper Conveyances; who, upon his Application to the aforesaid James Sterling, had his Consent; but the Attorney being obliged to attend his Duty at the Provincial Court, could not dispatch the same, as he otherwise would have done: During which Delay she sickened, and before proper Deeds could be otherwise prepared, she died. It also further appears to your Committee, that only eighty-three Pounds Currency, Part of the Consideration Money for the Tract of Land called Huddle's Right, has been, by the aforesaid John Waltham in his Life time, or p. 70 by another Person, since paid to the aforesaid James Sterling: But your Committee do not find; that any Part of the Consideration Money for the Tract of Land called Rushmore has been paid.

All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, John Hall, junior, Clerk.

Which Report was read, and the House concurs therewith.

The Petition of the Rev. Mr. James Sterling was read, and Leave given to bring in a Bill according to Prayer.

A Bill entituled, An Act impowering the Rector, Vestrymen, and Churchwardens, of Queen Caroline Parish in Anne Arundel County, for the Time being, to purchase [one] Acre of Land, and thereon to build a Chapel of Ease, in the said Parish; and to impower the Justices of the said County to levy on the taxable Inhabitants of the said Parish the Sum of Twelve Pence Current Money yearly, by three annual Assessments, for the Uses therein mentioned; was read the first Time, and ordered to lie on the Table.

A Bill entituled, A Supplementary Act to the Act entituled, An Act ascertaining the Height of Fences, &c. was read the first Time, and ordered to lie on the Table.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

May 26 Saturday Morning, May 26, 1750.

The House met according to Adjournment: The Members were called, and all present as Yesterday. The Proceedings of Yesterday were read.

The Bill entituled, A Supplementary Act to the Act entituled, An Act for Causing Grand and Petit Jurors and Witnesses to come to the Provincial and County Courts, &c. was read the second Time, and passed; which Bill, with the Bill entituled, An Act to license Hawkers, &c. the Bill entituled, An Act continuing an Act entituled, An Act for the speedy and effectual Publication of the Laws, &c. the Bill entituled, An Act to enable the Rector and Vestrymen of Great Choptank Parish, &c. the Bill entituled, An Act to enable p. 71 George Catto and Araminta his Wife to sell Lands, &c. were sent to the Upper House by Mr. Waggaman and Capt. Travers.

A Bill entituled, An Act for the better Preservation of the Breed of Deer, and preventing unlawful Hunting; was read the first Time, and ordered to lie on the Table. L. H. J. Liber No. 47 May 26

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

The Bill entituled, An Act impowering the Rector, Vestrymen, and Churchwardens, of Queen Caroline Parish in Anne Arundel County, to purchase one Acre of Land, &c. was read the second Time, and passed.

Dr. Carroll, from the Committee of Laws, delivers to Mr. Speaker, a Bill entituled, An Act to prevent the clandestine Importation of Rum and Spirits into this Province; which was Read the First Time, and Ordered to lie on the Table.

The House adjourns 'til Monday Morning at 9 o'Clock.

Monday Morning, May 28, 1750. May 28

The House met according to Adjournment: The Members were called, and all appeared as on Saturday; except Capt. Bond, Mr. Lecompte, Major Sheredine, and Capt. Addison. The Proceedings of Saturday were read.

Mr. Key delivers to Mr. Speaker a Bill entituled, An Act to enable the Justices of Frederick County to levy a Sum of Money on the taxable Inhabitants of All Faith's Parish in the said County, and for the building a Chapel of Ease in King and Queen Parish in St. Mary's County; and for other Purposes therein mentioned: Which Bill was read the first Time, and ordered to lie on the Table.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

Major Barnes delivers to Mr. Speaker the following Report; viz. (See pages 351-361)

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to license Hawkers, &c. and the Bill entituled, A Supplementary Act to the Act entituled, An Act for causing Grand and Petit Jurors and Witnesses to come to the Provincial and County Courts, &c. Which were severally Indorsed, " By the Upper House of Assembly, Read the second Time, and will not pass." And p. 79

The Bill entituled, An Act to enable the Rector and Vestrymen of Great Choptank Parish in Dorchester County to lease some Land,

L. H. J. Liber No. 47 May 28

&c. Indorsed, "By the Upper House of Assembly, read the second Time, and will pass." Which Bill was read here, and passed for Ingrossing.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

May 29

Tuesday Morning, May 29, 1750.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

Major Sheredine and Capt. Addison appeared in the House.

The Bill entituled, An Act to enable the Justices of Frederick County to levy 100 l. &c. to finish their Church, &c. and to build a Chapel of Ease in King and Queen Parish in St. Mary's County, &c. was read the second Time, and passed.

Dr. Carroll, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the better Encouragement of Learning within this Province; which was read the first Time, and ordered to lie on the Table.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency the Governor; which was read, approved, and ordered to be Ingrossed.

Mr. Robert Lloyd, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency the Governor; which was read, approved, and ordered to be Ingrossed.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act continuing an Act entituled, An Act for the speedy and effectual Publication of the Laws of this Province, &c. Indorsed, "By the Upper House of Assembly, read the second Time, and will pass." Which Bill was read here, and passed for Ingrossing.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

The Bill entituled, An Act to encourage the destroying of Squirrels, &c. was read the second Time, and passed; and, with the Bill entituled, An Act to enable the Justices of Frederick County to levy 100 l. &c. and the Bill entituled, An Act empowering the Rector, &c. of Queen Caroline Parish, in Anne Arundel County, to purchase one Acre of Land; was sent to the Upper House by Mr. Smallwood and Mr. Sulivane.

Richard Lee, Esq; from the Upper House, delivers to Mr.

p. 80 Speaker a Petition of the Vestrymen and Churchwardens, and prin-

cipal Inhabitants of Durham Parish in Charles County, praying Leave to bring in a Bill to levy and assess 20000 lb. of Tobacco on the taxable Parishioners, to build a House on the Glebe for the Incumbent; Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House." Which Petition was here read, and referred for Consideration next Assembly. L. H. J. Liber No. 47 May 29

On reading a second Time the Supplementary Bill to the Act for amending the Staple of Tobacco, &c. the Question was put, Whether the Inspectors Salaries at Bladensburg Warehouse shall be reduced; or Not? Resolved in the Negative.

For the Negative,

Mr Mills,	Mr Wilson,	Mr Wilkinson,
Smith,	J. Goldsborough,	Davis,
Worthington,	Hooper,	Robins,
J. J. Mackall,	Hyland,	Scarborough,
Heighe,	Wootton,	Crabb,
B. Bond,	Addison,	Chaplain,
Smallwood,	Gordon,	Owen,
Stoddert,	Hopper,	Prather.

For the Affirmative,

Mr Key,	Mr King,	Mr Paca,
Barnes,	Waggaman,	Lux,
Richard Lloyd,	Robert Lloyd,	Sprigg,
Wilmer,	Oldham,	Murdock,
Carroll,	Sulivane,	Selby,
B Mackall,	Travers,	J. Henry.
Lee,	Sheredine,	

Mr. Worthington, from the Committee of Accounts, delivers to Mr. Speaker the Journal of Accounts.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

Wednesday Morning, May 30, 1750. May 30

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

The Journal of Accounts was read and assented to, and sent to the Upper House by Mr. Wootton and Mr. John Goldsborough.

The Bill entituled, An Act for the better Encouragement of Learning within this Province, was read, and referred for the Consideration of the next Assembly.

L. H. J. Liber No. 47 May 30

Ordered, That Mr. Jonas Green do print Copies of the Bill entituled, An Act for processioning Lands in order to perpetuate the Bounds thereof, and for other Purposes therein mentioned; and the Bill entituled, An Act for the better Encouragement of Learning within this Province: And that he cause one to be deliver'd to his Excellency the Governor, and to each Member of the Upper and Lower Houses of Assembly; and that he likewise print the said Bills in one or more of his Weekly News-Papers; and lay his Account before the next Assembly.

p. 81 A Bill entituled, An Act to impower James Sterling, Rector of St. Paul's Parish in Kent County, to convey two Tracts of Land, the one called Huddle's Right, the other called Rushmore, lying in Kent County aforesaid, was read the first Time, and ordered to lie on the Table.

Col. Hooper delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The Humble Address of the House of Delegates.

May it please your Excellency,

This House having taken under Consideration your Excellency's Message, with Regard to the Letter and Account from the Deputy Governor of the Massachusetts Bay, in Relation to Prisoners which were brought from Quebeck to Boston; and as there is good Reason to believe the Crown had made Provision for that End, are come to the following Resolution; to wit: "That this House will not raise any Money for the Purpose required by the said Letter."

Which was read and assented to, and signed by Order of the House, by the Honourable Speaker.

Ordered, That Major Sheredine and Capt. Lux do acquaint his Excellency that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker, that his Excellency signified, that he would receive the Address in an Hour's Time in the Conference Chamber.

The Bill entituled, An Act for the better Preservation of the Breed of wild Deer, &c. was read the second Time; and the Question was put, Whether the said Bill shall pass; or Not? Resolved in the Affirmative.

For the Affirmative,

Mr Mills,	Mr Stoddert,	Mr Sheredine,
Key,	Lee,	Paca,
Wilmer,	Wilson,	Wootton,
Worthington,	King,	Gordon,
Bordley,	R. J. Henry,	Dulany,

Mr J. J. Mackall,	Mr Waggaman,	Mr Robins,	L. H. J. Liber No. 47 May 30
Heighe,	N. Goldsborough,	Selby,	
B. Mackall,	J. Goldsborough,	J. Henry,	
B. Bond,	Robert Lloyd,	Chaplain.	
Smallwood,	Oldham,		

For the Negative,

Mr Barnes,	Mr Colvill,	Mr Scarborough,
Smith,	Addison,	Crabb,
Richard Lloyd,	Hopper,	Owen,
Sulivane,	Wilkinson,	Prather.
Travers,	Davis,	

Which Bill was accordingly Indorsed, "Read the second Time, and will pass."

Ordered, That Capt. Crabb, and two more, do present the Address to his Excellency.

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker the Journal of Accounts, and the following Message; viz. (See page 363) p. 82

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to encourage the destroying of Squirrels, &c. the Bill entituled, An Act impowering the Rector, Vestrymen, and Churchwardens of Queen Caroline Parish, &c. to purchase one Acre of Land; and the Bill entituled, An Act to enable the Justices of Frederick County to levy a Sum of Money, &c. and for building a Chapel of Ease in King and Queen Parish in St. Mary's County, &c. severally Indorsed, "By the Upper House of Assembly, May 30, 1750: Read the second Time, and will pass.

"Signed per Order, J. Ross, Cl. Up. Ho."

Which Bills were severally read here, and passed for Ingrossing.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to enable George Catto, &c. to sell Lands; Indorsed, "By the Upper House of Assembly, May 30, 1750: Read the second Time, and with the following Amendments will pass: Between the Words Alexander and that, in the 10th Line, put which Marriage Settlement was dated the 25th of July, 1738: In the 19th Line, after the Word Interest, put antecedent to 25th of July, 1738, aforesaid: Leave out the Words after Consideration, in 7th Line of 2d Page, to the Word shall in 8th Line: After the

L. H. J. Liber. No. 47 May 30 Word Office in 11th Line, put antecedent to 25th of July, 1738, aforesaid: After the Word them in 12th Line, to the Word retained in the 14th Line, to be left out.

"Signed per Order, J. Ross, Cl. Up. Ho."

p. 83 The Bill entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c. was read the second Time, and passed; and sent to the Upper House, with the Bill entituled, An Act for the better Preservation of the Breed of wild Deer, &c. by Major Barnes and Capt. Lux.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Excellency's Message to this House, relating to Col. Cresap, and the Indian travelling Warriors, we cannot, consistent with our Duty to the People of this Province, nor common Prudence, consent to burthen them with any Charge on Account of those Indians, who, if encouraged, would always find Persons to set them to Work, either for private Interest or some other Views.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

Ordered, That Col. Hooper and Mr. Smallwood do acquaint his Excellency, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor signified, that he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Murdock, and three more, do present the Address.

Doctor Carroll, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act settling the Sterling Value of foreign Gold and Silver Coin within this Province; which was read the first Time, and ordered to lie on the Table.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

May 31 Thursday Morning, May 31, 1750.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Col. R. J. Henry. The Proceedings of Yesterday were read.

The Bill entituled, An Act to prevent the clandestine Importation of Rum, &c. was read the second Time; and the Question was put, Whether the said Bill shall pass; or Not? Resolved in the Affirmative.

For the Affirmative, L. H. J. Liber No. 47 May 31

Mr Mills,	Mr Stoddert,	Mr Sprigg,
Barnes,	Lee,	Murdock,
Carroll,	Wilson,	Gordon,
Worthington,	J. Goldsborough,	Dulany,
Bordley,	Robert Lloyd,	Selby,
J. J. Mackall,	Sheredine,	Scarborough,
B. Mackall,	Lux,	J. Henry,
B. Bond,	Wootton,	Owen.
Smallwood,	Addison,	

For the Negative, p. 84

Mr Key,	Mr Oldham,	Mr Hopper,
Smith,	Sulivane,	Wilkinson,
Richard Lloyd,	Hooper,	Davis,
Wilmer,	Colvill,	Robins,
Heighe,	Hyland,	Crabb,
King,	Paca,	Prather.

Which Bill was accordingly Indorsed, "Read the second Time, and will pass."

The Bill entituled, A Supplementary Act to the Act entituled, An Act ascertaining the Height of Fences, &c. the Bill entituled, An Act to preserve the Honour and Independency of the House of Delegates; and the Bill entituled, An Act settling the Sterling Value of foreign Gold and Silver Coin, &c. were severally read the second Time, and passed; and sent to the Upper House, with the Bill to prevent the clandestine Importation of Rum, &c. by Major Sheredine and Mr. B. Mackall.

The House adjourns 'til 2 o'Clock.

Post Meridiem.

The House met according to Adjournment.

The Bill entituled, An Act to enable George Catto, of Cæcil County, &c. was read, and with the Amendments proposed passed for Ingrossing.

A Bill entituled, A Supplementary Act to an Act entituled, An Act for the Relief of Creditors in England, against Bankrupts who have imported any Goods into this Province not accounted; was read the first Time, and referred to the Consideration of the next Assembly.

Col. Sprigg, from the Committee of Accounts, delivers to Mr. Speaker the following Account; viz.

L. H. J. Liber No. 47 May 31

The Province of Maryland to John Raitt, as Armourer of the Province aforesaid;

	Sterling
From September 26, 1745, to July 11, 1747, is 21 Months and 15 Days, at 40 l. per Ann.	£. 71 13 4

Errors excepted per John Raitt.

Which was read and disallowed.

This House having taken into Consideration an Act of Assembly entituled, An Act for Settlement of an annual Revenue upon her Majesty's Governor within this Province, for the Time being, made in the Year of our Lord 1704; under Colour of which Act, 12 d. Sterling per Hogshead has been levied and taken by the Right Honourable the Lord Proprietary of this Province, on all Tobacco exported out of the same, ever since the Year of our Lord 1733; at which Time an Act entituled, An Act ascertaining the Gauge and Tare of Tobacco Hogsheads, expired: Which said Act of 1704 is in the following Words.

An Act for Settlement of an annual Revenue upon her Majesty's Governor within this Province, for the Time being.

Whereas, by an Act of Assembly formerly made, entituled, An Act for providing a Support for the Lord Proprietary of this Prov-
p. 85 ince, and likewise a Supply for defraying the public Charge of the Government; it was by the said Act published and declared, That from and after the first Day of September then next ensuing, there should be raised, levied, collected, and paid to the said Lord Proprietary, the Sum of Two Shillings Sterling for every Hogshead, or Quantity of a Hogshead, of Tobacco, which should be at any Time thereafter shipped in any Ship or Vessel, to be exported out of this Province; on Condition that his said Lordship should receive his Rents, and Fines for Alienation of Lands, in good sound merchantable Tobacco, when tendered, at the Rate of two Pence per Pound for one Moiety of the said Imposition; the other Moiety by the said Act raised, to be employed towards maintaining a constant Magazine, and defraying other public and necessary Charges of the Government. And whereas former Assemblies, upon strict Enquiry made into the Premises, did find his said Lordship had not only been very deficient, and at small Charge and Expence in maintaining a Magazine as aforesaid; but that this Province hath been obliged to defray all public Charges arising for the Support of Government, by Way of an equal Assessment upon the Inhabitants thereof; the several Provisoes in the afore-recited Act to the contrary notwithstanding. And whereas also his said Lordship the aforesaid Moiety of two Shillings per Hogshead, under Pretext of maintaining a Magazine as aforesaid (until the Time of their late Majesties King

William and Queen Mary taking this Province under their immediate Protection), did convert to his own Use, to the Impoverishing of the Country, and Defraud of the Public; and being incapacitated of complying with what by the said Act, for the said Moiety of two Shillings per Hogshead, is required. L. H. J. Liber No. 47 May 31

Be it therefore Enacted by the Queen's most excellent Majesty, by and with the Advice and Consent of her Majesty's Governor, Council, and Assembly of this Province, and the Authority of the same, That the said One Shilling per Hogshead for defraying the Charges of Government aforesaid, as well for such Ships or Vessels as have already cleared before the making of this Act, as for such remaining in this Province, be raised, levied, collected, and paid unto our Sovereign Lady the Queen's most excellent Majesty, her Heirs and Successors, for the Support of her Government for the Time being, in and over this her Majesty's Province aforesaid, and the Territories to the same belonging, for every Hogshead and Quantity of an Hogshead of Tobacco, which hath been for and during the Time aforesaid, or which hereafter shall be at any Time shipped in any Ship or Vessel, to be exported out of this Province, or any the Territories, Islands, Ports, Rivers, Creeks, or Places thereunto belonging, as aforesaid.

And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That the said Duty and Imposition shall be from time to time paid and satisfied by the Master or Masters of every such Ship or Vessel respectively, in which p. 86
any such Tobacco shall be exported, upon his or their clearing, or taking out his or their Dispatch or Dispatches, for every such respective Ship or Vessel, and before the Departure of such Ship or Vessel coming into this Province, shall at their first Arrival here, and before their loading on board any Goods or Commodities of the Growth, Production, or Manufacture of this Province, give good and sufficient Security to his Excellency, or to the Officer thereunto especially appointed, for the Payment of the said Duty or Imposition accordingly.

Provided always, and it is the true Intent and Meaning hereof, That this Act, nor any Thing herein contained, shall be adjudged, construed, reputed, or taken (any Thing herein expressed to the contrary notwithstanding), to disannul or make void his Lordship's Right to the other Moiety of the said two Shillings per Hogshead, to be paid in Consideration of his Rents and Alienation Money in Tobacco at two Pence per Pound, during the Term of his natural Life (but that the same be kept and hereby preserved to his Lordship in as full and ample Manner as by the said Law is expressed or intended), or in the least to discharge his Lordship of receiving the Rents aforesaid at two Pence per Pound, as by the said Act is enjoin'd, during also the Term of his natural Life; nor to discharge

L. H. J. Liber No. 47 May 31

his Lordship from accounting for the Arrears of the one Shilling per Hogshead, for supporting the Government and providing Arms and Ammunition, but that he be obliged to all the aforesaid Matters and Things as fully and strongly as if the said Law were in full Force.

And be it further Enacted by the Authority aforesaid, That every Master of a Ship or Vessel as aforesaid, at the Time of his Clearing, shall upon Oath declare the Quality and Quantity of his Loading; and that the Naval Officer, by the Governor aforesaid appointed for the Time being, shall, and is hereby empowered to administer the said Oath; and in case the said Master shall refuse the said Oath, or upon Suspicion of having Goods on board for which he hath not cleared, it shall be lawful for the said Naval Officer to enter on board any such Ship or Vessel, and the same to search for any such Goods as aforesaid; any Thing in this Act beforementioned notwithstanding.

Thereupon the Question was put, Whether the following Entry, viz. [Resolved, That the levying and taking the Sum of Twelve Pence Sterling per Hogshead, by the Right Honourable the Lord Proprietary of this Province, on all Tobacco exported out of the same, under Pretence and Colour of the said Act of 1702, is not warranted by Law,] shall be made on the Journal, as the Resolve of this House; or Not? Resolved in the Affirmative.

p. 87

For the Affirmative,

Mr Mills,	Mr Lee,	Mr Lux,
Smith,	Wilson,	Wootton,
Richard Lloyd,	N. Goldsborough,	Addison,
Wilmer,	J. Goldsborough,	Sprigg,
Carroll,	Robert Lloyd,	Murdock,
Worthington,	Oldham,	Hopper,
J. J. Mackall,	Hooper,	Wilkinson,
Heighe,	Travers,	Davis,
B. Mackall,	Colvill,	Crabb,
B. Bond,	Hyland,	Chaplain,
Smallwood,	Sheredine,	Owen,
Stoddert,	Paca,	Prather.

For the Negative,

Mr Key,	Mr Gordon,	Mr Scarborough,
Barnes,	Dulany,	J. Henry.
King,	Robins,	
Sulivane,	Selby,	

The Question being determined in the Affirmative;

Resolved, That the levying and taking the Sum of Twelve Pence Sterling per Hogshead, by the Right Honourable the Lord Proprietary of this Province, on all Tobacco exported out of the same, under Pretence and Colour of the said Act of 1704, is not warranted by Law. L. H. J. Liber No. 47 May 31

Resolved, Nemine contradicente, That if the above Act of 1704 had been in Force, from the Restoration of the Government by the Crown to the Right Honourable the Lord Proprietary, to this Time; yet the Sum of Three Pence Sterling, Part of the said Twelve Pence Sterling, agreeable to the plain Construction of the abovementioned Act of 1704, and her late Majesty Queen Anne's Instruction to her Governor here when the said Act was in Force, ought to be applied towards the purchasing of Arms and Ammunition for the Defence of this Province.

It being moved, that an Address be prepared to the Right Honourable the Lord Proprietary, upon the Subject Matter aforesaid:

Resolved, That an Address be prepared accordingly.

Ordered, That Col. Hooper, Dr. Carroll, and Col. Colvill, do prepare and bring in the same.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Supplementary Bill to the Act entituled, An Act for amending the Staple of Tobacco, &c. Indorsed, "By the Upper House of Assembly, May 31, 1750: Read the second Time, and will pass, with the following Amendments." (See pages 365-366)

Mr. William Smith, a Member returned to serve in this present Assembly for Baltimore County, appeared in the House. Ordered, That Major Sheredine and Capt. Paca do go with Mr. Smith to the Upper House to see him qualified: They return, and acquaint Mr. Speaker, that Mr. Smith was qualified in the usual Manner. p. 89

The Gentleman took his Seat in the House.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

Friday Morning, June 1, 1750.

The House met according to Adjournment: The Members were called, and all present as Yesterday, except Mr. Waggaman. The Proceedings of Yesterday were read.

The Question was put, Whether the Bill entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c. shall be enforced; or Not? Resolved in the Affirmative.

L. H. J. Liber No. 47 June 1

For the Affirmative,

Mr Mills,	Mr King,	Mr Sprigg,
Key,	Robert Lloyd,	Murdock,
Barnes,	Sulivane,	Gordon,
Richard Lloyd,	Colvill,	Dulany,
Wilmer,	Hyland,	Wilkinson,
Worthington,	Paca,	Chaplain,
Smallwood,	Lux,	Owen,
Stoddert,	W. Smith,	Prather.
Lee,	Wootton,	
Wilson,	Addison,	

For the Negative,

Mr N. Smith,	Mr B. Bond,	Mr Davis,
Carroll,	J. Goldsborough,	Robins,
Bordley,	Oldham,	Selby,
J. J. Mackall,	Hooper,	Scarborough,
Heighe,	Sheredine,	J. Henry,
B. Mackall,	Hopper,	Crabb.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to preserve the Hônour and Independency of the House of Delegates; the Bill entituled, An Act to prevent the clandestine Importation of Rum and Spirits into this Province; and the Bill entituled, An Act settling the Sterling Value of foreign Gold and Silver Coin within this Province; severally Indorsed, "By the Upper House of Assembly, read the second Time, and will not pass:" The Bill entituled, An Act for the better Preservation of the Breed of wild Deer, &c. Indorsed, "By the Upper House of Assembly, June 1, 1750: Read the second Time, and will pass, with the following Amendments. In Page 1, leave out the Words in 5th Line after whereas, to the Word it in 7th Line. In Page 2, Line 13, after the Word prosecuted, leave out to the Word And in 2d Line of 3d Page. Leave out from the Word The in 8th Line of 3d Page, to the Word happen in 9th Line, and insert the following, to the Lord
p. 90 Proprietary for the Support of Government.

"Signed per Order, J. Ross, Cl. Up. Ho."

And the Bill entituled, A Supplementary Act to the Act entituled, An Act ascertaining the Height of Fences, &c. Indorsed, "By the Upper House of Assembly, June 1, 1750: Read the second Time, and will pass; the Words hath or, in the first Line of the last Page, being left out,

"Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was read here; and, with the Amendment proposed, passed for Ingrossing.

The Bill entituled, An Act to impower James Sterling, &c. was read the second Time and passed, and sent to the Upper House by Mr. Wilmer and Mr. Smith. L. H. J. Liber No. 47 June 1

Col. Sprigg, from the Committee of Elections and Privileges, delivers to Mr. Speaker the following Report; viz.

By the Committee of Elections and Privileges, May 31, 1750.

Your Committee have inspected the Writs directed to the Sheriffs of the Counties of St. Mary's, and Cæcil, and the Writ directed to the Mayor, Recorder, and Aldermen, of the City of Annapolis, for electing Deputies and Delegates to serve in this present Assembly, and the several Indentures thereto annexed;

Do find, that Capt. Zachariah Bond, Mr. James Mills, Mr. Philip Key, and Major Abraham Barnes, are duly returned for St. Mary's County.

That Col. Thomas Colvill, Capt. Nicholas Hyland, Mr. James Baxter, and Mr. Henry Baker, are duly returned for Cæcil County.

That Mr. Walter Dulany is duly returned for the City of Annapolis.

We further find an Indenture made and returned between Roger Boyce, Sheriff of Baltimore County, and sundry Electors; by which it appears, Mr. William Smith has been elected; but no Writ of Election appears.

Your Committee, on inspecting into the Writ for Queen Anne's County, and the Indenture thereto annexed do find, that Mr. Nathaniel Wright is duly returned.

Your Committee is informed, that the said Mr. Nathaniel Wright was qualified and acted as an Inspector the last Year, and was rechose for this Year, and still continues to deliver out Tobacco by him inspected.

Your Committee is of Opinion, that he is precluded from a Seat in your Honourable House, by the Act entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

All which is submitted to the Consideration of your Honourable House.

Signed per Order, Thomas Harwood, junior, Cl. Com.

The Bill entituled, An Act for the Preservation of the Breed of wild Deer, &c. was read, with the Amendments proposed by the Upper House; to which Amendments this House will not agree. p. 91

The House adjourns 'til 2 o'Clock.

L. H. J.
Liber No. 47
June 1

Post Meridiem.

The House met according to Adjournment.

The following Message; viz. (See page 367)

Was sent to the Upper House, with the Bill entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c. by Col. Sprigg and Mr. Stoddert.

The several Ingrossed Bills, assented to by this House, from Number 2 to 26, were sent to the Upper House, with the Paper Bills, by Mr. Stoddert and Major Selby.

Mr. Walter Hanson, one of the Justices of Charles County, having attended the Summons of this House, issued on a Report from the Committee of Grievances, relating to a Judgment rendered by the Justices of Charles County last March Court, for a certain Matthew Barnes, against Aaron Nalley, was called to the Bar of the House; and the Report being read to him, the said Hanson confessed that he was one of the Justices present in Court, when the said Judgment was rendered; that his consenting and suffering the said Judgment to be entered up, proceeded from Hurry, and an Inclination to expedite and finish Business, it being late at Night when Judgment
p. 92 passed; and also from the wrong Information that was given to the Court by the Plaintiff's Attorney, who informed the Court that the said Barnes's Account was proved by Record, which was not gainsayed by the plaintiff's attorney altho' in Fact the Account was not proved; and that it did not come to his Knowlege, that the Judgment so given was erroneous, 'til some Time afterwards, when he was sorry for it: That he hoped the Clemency of this House would attribute his Procedure to a mere Misconception of Facts, and not to any corrupt Intention or wilful Design.

Mr. Hanson was ordered to withdraw.

The House took into Consideration the Answer of Mr. Walter Hanson, and Resolved, That his Behaviour proceeded from an Inadvertency, and not from any evil Design.

Ordered, That Mr. Hanson be again called to the Bar, and that he be acquainted from the Chair with the Sense that this House sustained of his Conduct; and that it be recommended to him to act with more Circumspection in his Station for the future.

Mr. Hanson was again called to the Bar, and Mr. Speaker gave him the following Charge.

This House has considered your Answer to the Report that was read to you, And are willing to believe, that the Error complained of has rather proceeded from Inadvertency, than any real Design; but it's very apparent there has been Inattention and Neglect of Duty: However they incline to treat you with great Tenderness and thereby give a Precedent to the Courts below. I am therefore only to recommend it to you, to be more circumspect for the future,

and take Care that no more of his Majesty's Subjects be injured in like Manner; which I do accordingly. There are some Fees and Charges arising due, as Taxed, by a Committee of this House; on Payment of which you are discharged. L. H. J. Liber No. 47 June 1

Ordered, That Col. King and Mr. Wootton do tax the Fees.

Col. King delivers to Mr. Speaker the following Account, taxed.

In Obedience to an Order of the House of Delegates, we have proceeded to tax the several Fees and Charges following, as due to the Officers of the House, and others, on the Complaint of Aaron Nalley, against Messieurs Walter Hanson, Robert Yates, and Daniel of St. Thomas Jenifer, Justices of Charles County: That is to say, p. 93

To the Clerk, for three Summons, —— ——	0	9	0	0
To Ditto, for a Copy of the Report, —— ——	0	5	0	3
To the Serjeant, for serving three Summons, ——	0	9	0	0
To Ditto, for a Messenger to Charles County, ——	2	0	0	0
To Charles Wilkenson, for two Days Attendance, as an Evidence against said Justices, and itinerant Charges, —— —— —— ——	1	4	0	0
To Aaron Nalley, for two Days Attendance, as Ditto against Ditto, and itinerant Charges ——	1	4	0	0
	£. 5	11	0	3
Mr. Walter Hanson's third Part is —— ——	£. 1	17	0	1

All which is submitted to the Consideration of the Honourable House.

R, King,
Turnor Wootton,

The House having considered the Report from the Committee of Elections and Privileges, doth concur therewith: And unanimously Resolved, That Mr. Nathanael Wright, a Member returned to serve for Queen Anne's County, is incapable of being elected; and therefore the Election is declared void.

Ordered, That Mr. Speaker issue his Warrant to the Secretary of this Province, to make out a Writ of Election directed to the Sheriff of Queen Anne's County, to chuse a Member to serve in this Assembly, in the Room of the said Mr. Wright.

Col. Hooper delivers to Mr. Speaker an Address to his Lordship, which was read, approved, and ordered to be Ingrossed.

Mr. Matthew Barnes, having attended in Obedience to the Summons of this House, issued a Report from the Committee of Grievances, relating to a Judgment erroneously rendered in Charles County Court, for him the said Barnes against Aaron Nally of the said County; the House having examined Witnesses at the Bar relating to the same:

L. H. J. Liber No. 47 June 1

Resolved, That the Act entituled, An Act for amending the Staple of Tobacco, &c. has sufficiently provided against the Evil complained of; and that the said Aaron Nalley has a proper Remedy prescribed by that Act.

Ordered, That the Serjeant at Arms do acquaint the said Matthew Barnes, that he is discharged from further Attendance.

The House adjourns 'til Tomorrow Morning at 9 o'Clock.

June 2

Saturday Morning, June 2, 1750.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were read.

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker the following Message; viz. (See page 370).

p. 95

And the Bill entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c.

The Question was put, Whether this House agrees to the Amendments proposed by the Upper House in the Message of this Day; or Not? Resolved in the Affirmative.

For the Affirmative,

Mr Mills,	Mr Wilson,	Mr Wootton,
Key,	King,	Addison,
Barnes,	Robert Lloyd,	Sprigg,
N. Smith,	Sulivane,	Murdock,
Richard Lloyd,	Hooper,	Dulany,
Wilmer,	Colvill,	Selby,
B. Bond,	Hyland,	Chaplain,
Smallwood,	Sheredine,	Owen.
Stoddert,	Lux,	
Lee,	W. Smith,	

For the Negative,

Mr Carroll,	Mr J. Goldsborough,	Mr Robins,
Worthington,	Oldham,	Scarborough,
Bordley,	Paca,	J. Henry,
J. J. Mackall,	Hopper,	Crabb,
Heighe,	Wilkinson,	Prather.
B. Mackall,	Davis,	

The Bill entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c. was read; and with the Amendments proposed and agreed to by the Upper House, passed for Ingrossing.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to impower James Sterling, Rector of St. Paul's Parish in Kent County, to convey two Tracts of Land, &c. Indorsed, " By the Upper House of Assembly, read the second Time, and will pass." Which Bill was read here, and passed for Ingrossing. L. H. J. Liber No. 47 June 2 p. 96

The following Message; viz. (See page 371)

Was sent to the Upper House by Major Sheredine and Mr. Davis.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker an Ingrossed Bill entituled, An Act for the Sale of certain Lands and Houses belonging to the Free School in the City of Annapolis, &c. Indorsed, June 2, 1750: Read and assented to by the Upper House of Assembly.

" Signed per Order, J. Ross, Cl. Up. Ho."

And the Paper Bill thereof, Indorsed, " By the Upper House, May 23, 1750: Read, and with the Amendments proposed, passed for Ingrossing.

" Signed per Order, J. Ross, Cl. Up. Ho."

On reading the Report from the Committee to inspect the Office and Proceedings of the Paper Currency Office, the same was referred for Consideration next Assembly.

Ordered, That the Clerk of the Paper Currency Office be required to make out the several Sheriff's Accounts, relating to the Ordinary Licenses, as they stand in that Office, since the said Law took Place; and transmit a Copy of each County's Accounts, to the following Gentlemen respectively: To Major Barnes, for St. Mary's County; Capt. Lee, for Charles County; Mr. Benson Bond, for Calvert County; Mr. Murdock, for Prince George's County; Dr. Carroll, for Anne Arundel County; Major Sheredine, for Baltimore County; Col. Colvill, for Cæcil County; Mr. Chaplain, for Frederick County; Mr. Richard Lloyd, for Kent County; Capt. Hopper, for Queen Anne's County; Mr. John Goldsborough, for Talbot County; Mr. Sulivane, for Dorchester County; Col. Robert Jenckins Henry, for Somerset County; and Col. John Henry, for Worcester County: Who are requested to compare the said Accounts with the Clerks Accounts of Licenses granted under the said Law, that thereby may be known whether proper Credits have been given by such Sheriffs, or what is due from them respectively; that these Gentlemen may return to the next Session of Assembly an Account of what they shall discover, or find, in Relation to the same. p. 97

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the following Message; viz. (See page 371).

The House adjourns 'til 2 o'Clock.

L. H. J.
Liber No. 47
June 2

Post Meridiem.

The House met according to Adjournment.

An Ingrossed Bill entituled, An Act to impower James Sterling, &c. and an Ingrossed Bill entituled, A Supplementary Act to the Act entituled, An Act ascertaining the Height of Fences, &c. were severally read and assented to, and sent to the Upper House with the Paper Bills thereof, by Col. John Henry and Major Barnes.

Col. Hooper delivers to Mr. Speaker an Ingrossed Address to the Lord Proprietary; Viz.

p. 97 To the Right Honourable Charles Lord Baron of Baltimore Absolute Lord and Proprietary of the Province of Maryland.

The humble Address of the House of Delegates of the said Province.

May it Please your Lordship.

It is with great Concern that we his Majesty's dutiful, Loving, Liege Subjects, the Delegates of the ffreemen of Maryland, in Assembly Convened, approach your Lordship with an Address of Complaint of Hardships or Grievances suffered under your Lordship's Government, in which were we longer Silent Posterity, as well as those we represent might Justly accuse us with neglect of that Duty which we are bound to discharge. At Present we shall not aggravate our Misfortunes, or further trouble your Lordship by enumerating many Grievances we Labour under, different from those Subjects more immediately under his Majesty's Government in our neighbouring Colonies, And as his Majesty hath not more Loyal and faithful Subjects than the People of Maryland, or who to the utmost of their Power on all occasions have demonstrated the same, so we
p. 98 humbly Conceive, we merit the like ffavour and Protection, and we may boldly say, that we and our Predecessors have approved ourselves quiet, good & beneficial Tenants to your Lordship, and your noble Ancesstors, and that it was due to the Courage Conduct, Labour, and Industry of the first Settlers here, as well as the Present, that your Lordship owes the flourishing state of your Interest and Income in this Province, and therefore might Justly Call for your Attention and Regard, and as we earnestly desire to Continue in the same good Disposition, So we hope for your Lordship's favour and impartial Justice. Your Lordship's taking the sum of Twelve Pence sterling for every Hogshead of Tobacco exported out of this Province Since the year 1733 under Colour of an Act Entituled, An Act for Settlement of an annual Revenue upon her Majesty's Governor within this Province for the Time being, is the Subject of our present Complaint; we Conceive the Same is not justified by the said Act, nor any Law of this, or our mother Country, and as we Cannot more fully express our Sense of this important Affair, than in that of

the Representative Body, we give your Lordship the same in the following Resolves of this House. Viz. L. H. J. Liber No. 47 June 2

Resolved, That the levying and taking the Sum of Twelve Pence Sterling per Hogshead, by the Right Honourable the Lord Proprietary of this Province, on all Tobacco exported out of the same, under Pretence and Colour of the Act of 1704, is not warranted by Law. Resolved Nemine Contradicente, That if the above Act of 1704, had been in fforce from the Restoration of the Government by the Crown to the Right Honourable the Lord Proprietary, to this Time, yet, the Sum of Three Pence Sterling, Part of the said Twelve Pence Sterling, agreeable to the plain Construction of the above mentioned Act of 1704, and her late Majesty Queen Anne's Instructions to her Governor here when the said Act was in fforce, ought to be applied towards the purchasing of Arms and Ammunition for the Defence of this Province. And in Support of our said Resolves, we beg Leave to offer to your Lordship (out of many) the following Reasons.

That we Cannot Conceive, that by any Construction of the said Act of 1704, your Lordship Can be meant or intended as Successor to her Majesty, or that a Duty given for support of her Majesty's Government for the Time being, by the said Act, Can mean or intend your Lordships Government: nor would we invidiously mention the Accusations in the said Act, to shew that it Could never intend your Lordship's ffamily, And the many Acts made to that purpose, upon the Crown's assuming this Government, and again when the same was restored to your Lordship's ffamily, plainly evince the Truth of our Conception or Sense of the aforesaid Act of 1704; p. 99

We therefore humbly hope your Lordship will no longer Continue to levy the said sum, or lay us under the Disagreeable necesity of taking any other method of Application for Redress.

Which was read and assented to, and Signed by Order of the House by the Honourable Speaker.

Mr. Speaker is requested to transmit the Address to the Lord Proprietary, and a Duplicate thereof.

The House proceeded to tax the Bill entituled, An Act to enable George Catto, of Cæcil County, &c. to sell Lands;

To the Honourable Speaker,	£. 3 0 0
To the Clerk,	1 10 0

And the Bill entituled, An Act to impower James Sterling, &c.

To the Honourable Speaker,	£. 2 10 0
To the Clerk,	1 5 0

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker an Ingrossed Bill entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, &c. which was

L. H. J. Liber No. 47 June 2

read and assented to, and sent to the Upper House with the Paper Bill, by Mr. Key and Mr. Dulany.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the several Paper Bills (the Ingrossed Bills of which were severally read and assented to by both Houses), Indorsed severally, "The Ingrossed Bill, whereof this is the Original, is read and assented to."

Ordered, That Mr. Key and Mr. Sulivane do go and acquaint the Governor, that no Business lies now before this House.

Edmund Jenings and Samuel Chamberlaine, Esquires, from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately.

Mr. Speaker left the Chair, and, attended by the Members of the Lower House, went to the Upper House, where he presented to his Excellency, [the following Ingrossed bills, see pages 373-375]

All which his Excellency passed into Laws in the usual Form: After which his Excellency made the following Speech; (See page 375)

So endeth this Session of Assembly this 2d Day of June, in the 36th Year of his Lordship's Dominion, in the 23d Year of his Majesty's Reign, and in the Year of our Lord, 1750.

Test. M. Macnemara, Cl. Lo. Ho.

ACTS OF ASSEMBLY PASSED IN MAY AND JUNE, 1750

At a Session of Assembly begun and held at the City of Annapolis the Eighth Day of May in the thirty sixth Year of the Dominion of the Right Honourable Charles Absolute Lord and proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &ca. Anno Dom. 1750 and ending the Second Day of June following. Liber B.L.C. p. 487

The following Laws were Enacted and Assented to by his Excellency Samuel Ogle Esquire Governor.

An Act to prevent the Exporting of Trash, or bad Tobacco.

No. 1
[Preamble.]

Whereas, by an Act of Assembly entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, it was among other Things enacted and declared, "That it was the true Intent and Meaning of the said Act, that nothing therein contained should affect any Tobacco that was made at any Time before the first Day of December, One thousand seven hundred and forty-seven; but that the same might be shipped, or otherwise disposed of, as the Proprietor thereof should think proper; Oath, or Affirmation if a Quaker, being made by the Proprietor of such old Tobacco, or Overseer, or other credible Person, that the same was made before the said first Day of December, One thousand seven hundred and forty-seven; which Oath or Affirmation might be made before any one Justice of the Peace, and such Justice giving Certificate of the Mark and Number of the Hogshead or Hogsheads of such old Tobacco, the same might be taken on board any Ship or Vessel for Transportation, notwithstanding any Thing in the said Act contained: Yet the Proprietor of such old Tobacco might, if he thought fit, have the same old Tobacco inspected, or subjected to Inspection, as the said Act directs, and in such Case he should have and receive all Benefits and Advantages arising to the Owner of Inspected Tobacco, in Manner therein before mentioned." And whereas it appears to this General Assembly, that sundry evil-minded Persons have, since the making the said Act, saved, bought, and, under colour of it's being old Tobacco, actually exported, and now do openly and publicly save and buy up, bad, trash, and unsound Tobacco, with the same View; which Practices, so plainly tending to frustrate all the good and salutary Effects intended by the said Act, if not immediately remedied, must prove of very dangerous Consequence to the People of this Province.

Liber B. L. C. [No old Tobacco to be exported after May 21, 1750, unless brought to an Inspection-House.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the twenty-first Day of May, One thousand seven hundred and fifty, it shall not be lawful for any Person or Persons, under any Pretence whatsoever, to export or ship off, under the Denomination of old Tobacco, or Tobacco made before the first Day of December, One thousand seven hundred and forty-seven, unless the Proprietor thereof shall bring or cause to be brought the said Tobacco, in Hogshead or Hogsheads, to some Inspection-House; and when the same is so brought, deliver the same to the said Inspectors, and then and there the Proprietor, or some other credible Person, take the following Oath (or Affirmation if a Quaker); I A. B. do swear (or if a Quaker affirm), that all the Tobacco now within this Hogshead (expressing the Mark and Number of each Hogshead) was really and bona fide made before the first Day of December, One thousand seven hundred and forty-seven: Which Oath or Affirmation the said Inspectors shall, and they are hereby authorized, impowered, and required, to administer to the Person or Persons bringing the said Tobacco, such Person writing, or causing the same to be wrote; and the said Inspectors are hereby required to return all and every the said Oaths or Affirmations to the next November County Court, to be held for the County where the said Inspection-House shall be.

[Inspectors required to receive such Tobacco.]

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That the Inspectors of the several and respective Warehouses within this Province shall, and they are hereby required, to receive the said Tobacco, and stow it away 'til the same shall be sent for to be shipped, and then deliver the same, with a Certificate certifying the same to have been old Tobacco, and proved such according to the Directions of this Act; for doing all which, the Inspectors, as by this Act enjoined to do, they shall receive from the Proprietor or Proprietors of such Tobacco One Shilling Current Money for each Hogshead to their own Use; and from the Person taking such Tobacco away, one Shilling for each Hogshead, for the Use of the Proprietor of the said Warehouse.

[Penalty on Persons swearing falsely.]

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall swear or affirm falsely, of and concerning all or any Tobacco so by such Person carried to any Warehouse in Pursuance of this Act, such Person so swearing or affirming, being lawfully convict thereof, shall forfeit and suffer all the Pains and Penalties of wilful and corrupt Perjury.

p. 488

And be it further Enacted by the Authority aforesaid, That every Master, Mate, or Boatswain of any Ship or other Vessel, who shall take on board, or cause, permit, or suffer to be taken on board his

Ship, or other Vessel, therein to export the same out of this Province, and every Owner or Shipper thereof, who shall cause, permit, or suffer to be shipped off from any Key, Wharff, Landing, or other Place, than from one of the Inspecting-House Landings in this Province, contrary to the true Intent and Meaning of this Act, any Hogshead or Hogsheads of Tobacco, shall for every such Hogshead forfeit and pay the Sum of Ten Pounds Current Money, one Half thereof to the Informer, or to him, her, or them that shall sue for the same, and the other Half thereof to the Use of the public School of the County where such Offence shall be committed; to be recovered in the County Court, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, wherein no Essoyn, Protection, or Wager of Law shall be allowed; any Law, Usage, or Custom, to the contrary thereof in any wise notwithstanding. Liber B.L.C. [No Tobacco to be exported from any other Landings than what belong to Inspecting-Houses.]

This Act to continue until the first Day of December, which shall be in the Year of our Lord One thousand seven hundred and fifty-three. [Continuance of this Act.]

15 May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On Behalf of the Right Hon^ble^ the Lord Proprietary of this Province I will this Be a Law
Sam: Ogle
The great Seal in wax appendant

15 May 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up Ho.

An Act continuing an Act entituled, An Act to prevent the ill Practices of Sheriffs, in the Collecting and Payment of the Public and County Levies. No. 2

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act entituled, An Act to prevent the ill Practices of Sheriffs, in the Collecting and Payment of the Public and County Levies, made at a Session of Assembly begun and held at the City of Annapolis, the twenty-first Day of September, Anno Domini One thousand seven hundred and forty-two, be, and is hereby continued to be and remain in full Force, for and during the Term of three Years, and unto the End of the next Session of Assembly which shall happen after the End of the said three Years. [An Act continued.]

21^st^ May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law.
Sam: Ogle
The great Seal in wax appendant

1^st^ June 1750
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

Liber B.L.C. No. 3

An Act continuing an Act entituled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto.

[An Act continued.]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly entituled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, made at a Session of Assembly begun and held at the City of Annapolis, the Twenty-second Day of June, Anno Domini One thousand seven hundred and fourteen, be, and is hereby continued, and shall be in full Force from and after the End of this Session of Assembly, for and during the Term of three Years, and

[And the Supplementary Act thereto.]

to the End of the next Session of Assembly which shall happen after the End of the said three Years. And also, That one other Act entituled, A Supplementary Act to the Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, made at a Session of Assembly begun and held at the City of Annapolis, the third Day of October, Anno Domini One thousand seven hundred and twenty-eight, shall be, and is hereby

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continued in full Force, during the Continuance of the first recited Act aforesaid.

21st May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle

the great Seal in wax appendant

1st June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up Ho.

No. 4

An Act continuing an Act entituled, An Act for the Advancement of Justice.

[An Act continued.]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act for the Advancement of Justice, made at a Session of Assembly begun and held at the City of Annapolis, the twenty-first Day of September, Anno Domini One thousand seven hundred forty and two, be, and is hereby continued, and to be and remain in Force for and during the Term of three Years, and unto the End of the next

Session of Assembly that shall happen after the End of the said three Years. Liber B.L.C.

21st May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam: Ogle

the great Seal in wax appendant

1 June 1750
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up Ho.

An Act to remedy some Evils relating to Servants. No. 5

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this Session of Assembly, where any Servant or Servants now imported, or which hereafter shall be imported, into this Province, shall by his, her, or their evil Doings or Actions, commit such Offence or Offences, where by the Laws they subject him, her, or themselves to Imprisonment; that in such Case such Servant or Servants shall, and he, she, or they are hereby obliged to serve the Master or Masters, Mistress or Mistresses, of such Servant or Servants, Day for Day, and no more, such Master or Masters, Mistress or Mistresses, shall lose of his, her, or their Service, by such Imprisonment. [Servants to serve Day for Day, in case of Imprisonment.]

And be it further Enacted, That if by the Evil-doing, or Actions of such Servant or Servants, he, she, or they shall be fined for the Breach of the Peace, or any Law of this Province, at any Time after the End of this Session; and that the Master or Masters, Mistress or Mistresses, of such Servant or Servants, pay such Fine, such Servant or Servants shall make Satisfaction by Service, or otherwise, at the Expiration of their first Time of Servitude, for such Fine or Fines. [Servants to pay fines by servitude.]

And be it likewise Enacted, That the several and respective Justices of the several and respective County Courts within this Province, where the Case shall happen, shall, and they are hereby obliged and directed to hear and determine any Dispute that may arise between the Master or Masters, Mistress or Mistresses, and such Servant or Servants, in Relation to the Cases herein before mentioned, and to adjudge according to the Directions of this Act herein before mentioned. [Disputes between Masters and Servants to be decided by the County Court.]

This Act to continue from and after the End of this present Session of Assembly, for and during the Term of three Years, and unto [Continuance of this Act.]

Liber B.L.C. the End of the next Session of Assembly which shall happen after the Expiration of the said three Years.

23d May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law.
Sam: Ogle

The great Seal in wax appendant

1st June 1750
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross. Cl Up Ho.

No. 6 p. 490 An Act to enable the Justices of Kent County Court, for the Time being, to levy on the taxable Inhabitants of the said County a Quantity of Tobacco, for the Uses therein mentioned.

[Preamble.] Whereas it is represented to this General Assembly, that the Court-House of Kent County is not only much out of Repair, but is also, by Means of the great Increase of the Inhabitants, and the Business of the said County, become too small for the Purposes of a Court-House.

[Justices of Kent County Court to levy 50000 lb. of Tobacco.] Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful to and for the Justices of Kent County Court, for the Time being, and they are hereby authorised, impowered, and required, on their laying their County Levy in November Court, in the Years Seventeen hundred and fifty, and Seventeen hundred and fifty-one, to assess and levy on the taxable Inhabitants of the said County, by two equal Assessments, the Quantity of fifty thousand Pounds of Tobacco, together with the Sheriff's Salary of five per Cent for Collection; which Sum, so assessed and levied, shall be collected by the Sheriff of Kent County aforesaid, who is hereby required and directed to pay the same to the Commissioners hereafter named, or the major Part of them, to be by them or the major Part of them applied to the Use and Purpose herein after mentioned.

[Proviso.] Provided always, And it is further Enacted, That it shall and may be lawful for the several and respective Inhabitants of Kent County, to pay and discharge the said several and respective Sums of Tobacco, so to be levied and raised to and for the Uses aforesaid, in Current Money, in the same Manner as they are enabled to pay and discharge the Public or County Levy.

[Names and Duty of the Commissioners.] And be it further Enacted by the Authority aforesaid, That Master Bedingfield Hands, James Smith, James Calder, Joseph Nicholson, John Williamson, Samuel Tovey, and William Hynson, be and are hereby appointed Commissioners, and as such impowered to meet at Chester-Town in Kent County, on or before the first Day of March next, and then and there to treat and agree with an Under-

taker or Undertakers, Workman or Workmen, to build, finish, and repair the aforementioned Court-House. Liber B. L. C.

And be it further Enacted, That the said Justices of Kent County Court shall not levy, or cause to be levied, on the taxable Inhabitants of the said County, any more Tobacco or Money, for the repairing or enlarging the Court-House of the same County, than is herein directed, or they are hereby impowered to levy, for and during the Space and Term of two Years next ensuing; any Law, Statute, Usage or Custom to the contrary thereof in any wise notwithstanding. [No more Tobacco or Money to be levied, than what is directed by this Act.]

25th May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam: Ogle

The great Seal in wax appendant

1st June 1750
Read and Assented to by the Upper House of Assembly.
Signed p Order
J Ross Ct. Up. Ho.

An Act to enable the Justices of Baltimore County Court to assess and levy on the taxable Inhabitants of St. George's Parish, in that County, a Sum of Money for the Uses therein mentioned. No. 7

Whereas, the Rector, Vestrymen, and Churchwardens, and other Inhabitants of St. George's Parish in Baltimore County, have, by their humble Petition to this present General Assembly, set forth, that the Parish aforesaid hath a large Number of Taxables, and is likely to increase as much as any Parish in the said County; and that the said Parish is so large, as to render it impossible for many of the Parishioners to attend the Parish Church; which Parish Church is so ruinous and decayed, and not sufficiently large to contain one half the Congregation; and that the said Church is not worth repairing, nor is the Land whereon the same is built, appropriated And thereby humbly prayed that it might be Enacted: [Preamble.]

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful to and for the Justices of Baltimore County Court for the Time being, at the laying their Levy, to assess on the taxable Inhabitants of St. George's Parish aforesaid, a Sum of Current Money not exceeding the Sum of twelve hundred Pounds, by four equal Assessments; the first Assessment thereof to begin and be made at the November Court now next ensuing, and so to be continued at every November Court successively, until the same shall be compleated. [1200 l. to be levied on the Taxable Inhabitants of St. George's Parish.] p. 491

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That it shall and may be lawful, to and for the Sheriff of the said County for the Time being, to levy on the taxable Inhabitants of the said Parish, the several and respective Assessments so [Sheriff to have 5 per Cent for collecting the same.]

Liber B.L.C. as aforesaid to be made, in the same Manner as he shall levy other public or County Dues, and the same, when so levied, shall be, and he is hereby authorized and required to pay the same from time to time, to, or to the Order of, the Rector, Vestrymen and Churchwardens aforesaid for the Time being; thereout first deducting to his own Use five per Cent, for his Salary or Commission for levying the same.

[Land to be purchased, on which to build a Church and Chapel.] And be it further Enacted, That the said Rector, Vestrymen, and Churchwardens are hereby authorized and required, out of the Moneys aforesaid, to contract with and purchase, of any Person or Persons whatsoever, a Parcel of Land not exceeding three Acres, in any Part of the said Parish they shall think fit, thereon to build a new Church for the said Parishioners; and also another Quantity of Land, not exceeding the Quantity of three Acres, some where near and convenient to the said Parishioners about Deer-Creek in the said County, thereon to build a Chapel of Ease to the said Parish: And that the Conveyance or Conveyances for them shall be, and they are hereby directed and required to be by Deed indented, and to be made between the Vendor or Vendors, of the first Part, and the said Rector, Vestrymen and Churchwardens for the Time being, of the second Part; and shall be deemed, construed and taken, to be to the said Rector, Vestrymen and Churchwardens for the Time being, and to their Successors to and for the proper Use and Behoof of the Parishioners of the said Parish for ever.

[Rector, &c. to agree with an Undertaker or Undertakers.] And be it further Enacted, That the Rector, Vestrymen and Churchwardens of the said Parish for the Time being, are hereby authorized, impowered and required to contract and agree with any Undertaker or Undertakers, to furnish Materials for, and erect, build, finish, in Workman-like Manner, a Church and Chapel of Ease for the said Parish, on the aforesaid Pieces or Parcels of Land respectively, when the same shall be bought as aforesaid; and out of the Moneys aforesaid, when the same shall be assessed and levied as aforesaid, shall and may from time to time pay for the same, as they shall think fit, so far as the same shall extend; and in case of any Surplus after the purchasing, finishing and compleating, the Lands, Church and Chapel of Ease, and Payment for the same as aforesaid, such Surplus shall be applied and disposed of by the Rector, Vestrymen and Churchwardens aforesaid for the Time being, as they shall think fit, to the Use of the said Parish.

25th May 1750
Read & Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law.
Sam: Ogle

The great Seal in wax appendant

1st June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. Ho.

An Act impowering the Justices of Charles County Court to assess and levy a Quantity of Tobacco, and for other Purposes therein mentioned. Liber B. L. C. No. 8

Whereas the Rector, Vestrymen, Churchwardens, and sundry Parishioners of William and Mary Parish in Charles County, have by their humble Petition to this present General Assembly set forth, that there is a Stock of Neat Cattle and Swine belonging to the Glebe of the said Parish, which is refused by the Reverend Mr. Samuel Claget, the present Incumbent, to be accepted of, upon the Terms usually practised there; he being content with the Profits of his Benefice, without such Stock: Therefore it is humbly prayed, that the same Stock may be sold for the Benefit of the said Parish. And whereas by the same Petition it is likewise set forth, that the Parish Church in the said County is not only too small, but also wants repairing; and therefore it is humbly prayed, that a Quantity not exceeding twenty-seven thousand Pounds of Tobacco, may be raised and levied on the taxable Inhabitants of the said Parish, by two annual and equal Assessments, to be applied as well towards the building, finishing, and compleating an Addition to be by them made to the said Parish Church, as towards the defraying the necessary Expences in repairing the same. [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Charles County Court, for the Time being, shall be, and they are hereby authorized, impowered and required, on Application of the said Rector, Vestrymen and Churchwardens, at their laying their County Levy in November Court, in the Years Seventeen hundred and fifty, and Seventeen hundred and fifty-one, to assess and levy on the taxable Inhabitants of the said Parish, in the County aforesaid, a Quantity of Tobacco not exceeding twenty-seven thousand Pounds of Tobacco, by two even and equal Assessments, together with the Sheriff's Salary of five per Cent for Collection. And that the Rector, Vestrymen and Churchwardens of the said Parish, for the Time being, or the major Part of them, are hereby authorized, directed and required to agree and contract with a Workman, or Workmen, to undertake, build, finish and compleat the Addition to the said Parish Church, as also to make the necessary Repairs to the same as it now stands, in a Workman-like Manner. p. 492 [27000 lb. of Tobacco to be levied on the Inhabitants of William and Mary Parish.]

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That the said Rector, Vestrymen and Churchwardens, or the major Part of them, be, and they are hereby authorized and impowered, from time to time, as Occasion shall require, for the Purposes aforesaid, to draw upon the Sheriff of Charles County, in [Rector, Vestrymen, &c. to draw on the Sheriff of Charles County.]

Liber B.L.C. whose Hands the aforesaid Quantity of twenty-seven thousand Pounds of Tobacco, so as aforesaid to be assessed and levied, or such Part thereof as shall by Virtue of this Act be so assessed and levied, shall remain for so much of the said Tobacco as they the said Rector, Vestrymen and Churchwardens, or the major Part of them, shall from Time to Time think it necessary to draw for, towards Satisfaction or Payment for building, finishing and compleating the Addition to the said Church, or repairing the same as it now stands: And the said Sheriff shall be, and he is hereby authorized and obliged, from time to time, to pay the same to such Orders accordingly, so far as the said Sum shall extend unto.

[Stock of Neat Cattle, &c. to be sold by the said Rector, &c.] And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for the said Rector, Vestrymen and Churchwardens, or the major Part of them, and they are hereby directed and required to sell and dispose of, for the best Price that can be got, all the said Stock of Neat Cattle and Swine belonging to the Glebe of William and Mary Parish as aforesaid, at the most proper Seasons of the Year, by the said Rector, Vestrymen and Churchwardens, at public Auction; and the Money or Tobacco arising by such Sale to be applied toward the repairing the said Glebe, and other necessary Charges of the said Parish.

25th May 1750
Read and assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam: Ogle
the great Seal in wax appendant

1st June 1750
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

No. 9 An Act impowering the Justices of Prince George's County to levy on the taxable Inhabitants of Queen Anne Parish, in the said County, Fifty Pounds Current Money, for the Uses therein mentioned.

[Preamble.] Whereas, the Rector, Vestrymen and Churchwardens of Queen Anne Parish in Prince George's County, have by their humble Petition to this present General Assembly set forth, that their Yard belonging to their Chapel now lies open, and that there is no House to accommodate the Minister and Parishioners in bad Weather; and have therefore prayed that an Act may pass, impowering the Justices of Prince George's County to levy on the taxable Inhabitants of the said Parish fifty Pounds Current Money, to be applied towards the pailing in the said Yard, and building a House with a Fire-place, for the Purposes aforesaid.

[50 l. to be levied on the Inhabitants of Queen Anne Parish.] Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the

Authority of the same, That the Justices of Prince George's County for the Time being shall, and they are hereby authorized and directed, at their Court to be held at next November, to assess and levy on the taxable Inhabitants of Queen Anne Parish, the Sum of Fifty Pounds Current Money, together with the Sheriff's Salary of five per Cent for Collection thereof; which Sum so assessed and levied shall be collected by the Sheriff of Prince George's County; who shall, and he is hereby required to pay the same to the Rector, Vestrymen and Churchwardens of the said Parish for the Time being, or their Orders, to be by them applied towards pailing in the aforesaid Yard, and building the House aforesaid. Liber B.L.C. p. 493

25th May 1750. Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province. I will this Be a Law
Sam: Ogle

The great Seal in wax appendant

1st June 1750 Read and Assented to by Upper House of Assembly
Signed p Order
J Ross Cl. Up Ho.

An Act continuing an Act entituled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine; and Tare of Barrels for Flour or Bread. No. 10

Be it enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the authority of the same, That an Act of Assembly of this Province entituled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine; and Tare of Barrels for Flour or Bread; made at a Session of Assembly begun and held at the City of Annapolis, the fifth Day of August, Seventeen hundred and forty-five, be, and is hereby continued to be and remain in full Force, for and during the Term of three Years, and unto the End of the next Session of Assembly that shall happen after the End of the said three Years. [An Act continued.]

25th May 1750 Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam: Ogle

The great Seal in wax appendant

1st June 1750. Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

An Act for the further Enlargement of Baltimore-Town in Baltimore County. No. 11

Whereas, the Inhabitants of Baltimore County have, by their humble Petition to this present General Assembly, set forth, that there is on the North and East Sides of that Part of Baltimore-Town formerly called Jones's Town, about twenty-five Acres of [Preamble.]

Liber B.L.C. Land, very commodious to be laid out into Lots, and joined to Baltimore-Town aforesaid; and thereby prayed that it might be Enacted:

[25 Acres of land to be laid out into Lots, and added to Baltimore-Town.] And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Commissioners of said Baltimore-Town, or the major Part of them, do, and they are hereby directed and required, at some Time before the twentieth Day of July next ensuing, to cause the said twenty-five Acres of Land, or thereabouts, to be surveyed, and laid out into Lots and Streets, in such Manner as to them shall seem convenient; and that when the same shall be so done, it shall be, and is hereby declared to be Part of Baltimore-Town aforesaid, to all Intents and Purposes, as fully and amply as if included originally therein; and have the same Immunities and Privileges as the rest of the said Town, by any former Law or Laws ought to have: And any Person or Persons who shall build or improve on the said twenty-five Acres of Land, or thereabouts, after the same shall be laid out into Lots, as by former Laws relating to the said Town is directed, and purchase the same from the Proprietor or Proprietors, shall have an absolute Estate of Inheritance in any Lot or Lots purchased and built on; but the Purchaser or Purchasers of any Part of the said twenty-five Acres, or thereabouts, are hereby left to agree with the Proprietor or Proprietors thereof, and not otherwise to have any Title to any of the said new Lot or Lots to be laid out by Virtue of this Act.

p. 494

25th May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam: Ogle

The great Seal in wax appendant

2d June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl Up Ho.

No. 12 An Additional Supplementary Act to the Act entituled, An Act for laying out and erecting a Town at a Place called Long Point on the West Side of North-East River, in Cæcil County.

[Preamble.] Whereas it is represented to this General Assembly, by the Commissioners for Charles-Town in said County, and by the humble Petition of the Inhabitants thereof, that many Regulations are yet wanted, that would much conduce to the Convenience and Advantage of the said Inhabitants, and further Settlement of said Town: It is therefore humbly prayed that it may be Enacted;

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Au-

thority of the same, That from and after the End of this Session of Assembly, it shall and may be lawful for the Commissioners for said Town for the Time being, or the major Part of them, to appoint yearly one of the Inhabitants to serve as an Overseer for said Town; and which Overseer, so appointed, shall be obliged to serve, on the Penalty of thirty Shillings Current Money: And the said Overseer is hereby impowered, at such Times as he or the said Commissioners, or the major Part of them, shall appoint, to summons all the male taxable Inhabitants of said Town to be employed in clearing the Streets, and other public Ground thereof, as the said Commissioners or Overseer shall direct; and to make Bridges and Causeways in the said Streets, where they may by the said Commissioners or Overseer be deemed necessary; and that the said taxable Inhabitants shall be obliged to attend the Summons of the said Overseer, and to work on the said Streets and Ground, or to send a labouring Person in their Stead, on the Penalty of five Shillings Current Money for every such Day's Neglect or Refusal, or in proportion for such Time or Part of the Day they shall neglect or refuse to attend and work as aforesaid; and that the said Taxables shall provide and bring necessary Tools for the said Work: Also that a Note or Advertisement, put up by the said Overseer at the Market-House of said Town, and at the public Warehouse, five Days before the Day appointed for the Meeting of the said Taxables, shall be deemed sufficient Notice and Summons to the Inhabitants aforesaid.

Liber B.L.C.

[The Commissioners to appoint an Overseer for Charles Town.]

[Who is to summon the Inhabitants to repair the Streets.]

And whereas many Persons have built, and are now building, in said Town, and clear no more Ground than where their Houses stand, whereby the rest of their Lot becomes a Thicket, unserviceable for Pasturage, also inconvenient and unwholesome to all the Inhabitants: Be it further Enacted by the Authority aforesaid, That all Persons living or inhabiting on any Lot in said Town shall, within six Months from and after the End of this present Session of Assembly, grub and clear the Ground of the said Lot, or such Part thereof as they occupy or to them belong, from all Underwood, Grubs and Bushes, on the Penalty of thirty Shillings Current Money, to be forfeited and paid by the Occupyer of such House or Lot; and in proportion to the Owners or Occupyers of half Lots: And if the said Occupyer or Inhabitant be a Tenant, it shall be lawful for him to discount the Charge thereof from the Rent agreed to be paid for such House or Lot, so as the same exceed not twenty Shillings for one whole Lot, and also that any Person hereafter building on any Lot in said Town, so as to save the same, shall, within three Months after the building thereon, grub and clear the said Lot as aforesaid, on the Penalty aforesaid, to be applied by the said Commissioners in clearing the said Lot, and the Overplus, if any, in clearing the public Squares of said Town.

[Lots in said Town to be Cleared from Bushes, &c.]

p. 495

Liber B.L.C. [Wood and Timber on the Common not to be wasted.]

And for the better Preservation of the Wood and Timber standing or growing on the Common, for a constant Supply of Fire-wood for the Inhabitants, and the public Uses of said Town; Be it also Enacted, That no Person or Persons shall presume to bark any Tree or Trees within the Bounds of said Common, nor to make or burn any Coal or Brick Kilns with the Wood thereof, nor cut down or haul away any Trees or Logs for the erecting or building of private Houses, or such like, on the Penalty of twenty Shillings Current Money for each Tree, so barked or cut down as aforesaid: And the said Commissioners are hereby impowered to enquire into such or other Waste made of the said Wood and Timber, and to make such Rules and Orders from time to time, as may seem to them necessary to prevent the same.

[A Marsh to be let or leased for the Use of said Town.]

And be it further Enacted, That the Commissioners aforesaid are hereby impowered to rent or lease a Marsh lying on the East Part of the Common aforesaid, or any Part thereof, for any Term not exceeding twenty-one Years, to such Person or Persons as will undertake to dyke, drain, and turn the same into good Meadow, on such Rents and Conditions as shall be agreed on with the said Commissioners; the Lessee giving sufficient Security for the due Performance thereof: The Rents or Profits arising therefrom to be paid to the said Commissioners, to be applied to the public Use of said Town.

[Regulations in regard to the Markets.]

And whereas there is a public Market-House erected in said Town, where all Sorts of Provisions, for Supply of the Inhabitants and others, were heretofore usually bought and sold in great Plenty on Wednesdays and Saturdays, the Market-Days appointed by this Act; but which said Market begins to be less useful, by Forestallers and Hawkers from House to House, to the great Inconvenience and Disappointment of the poorer Sort of Inhabitants, as well as the Neighbourhood, who used to be supplied therefrom: Be it therefore Enacted, That all Sorts of Flesh, and other Provision usually brought to be sold for Supply of the Inhabitants, and others aforesaid, shall be brought to, and sold, at the public Market-place of said Town, and that any Person or Persons forestalling, or buying on the Road, any Sort of Provisions coming to the said Market within one Mile of the same, shall forfeit and pay double the Value of the said Provisions so forestalled or bought as aforesaid: And that any Person or Persons hawking about any Sort of Provision from House to House on the said Market-Days, before eight o'Clock of the said Days, shall also forfeit double the Value of the said Provisions, on Proof made thereof before any Justice of the Peace for said County; and that it shall be lawful for the said Commissioners, and they are hereby impowered to make such good Rules and Orders, as may conduce to the due Regulation of said Market.

And be it further Enacted, That it shall not be lawful for any Person or Persons to keep or raise any Swine, Sheep, or Geese, within the said Town, unless they be well inclosed in some Lot or Pen, on Penalty that the same may be taken up by Order of the said Commissioners or Overseer aforesaid, and applied to the Use of the Prisoners in said County Goal. Liber B.L.C. [Swine, &c. not to be raised in the said Town.]

And for preventing any Accidents by Fire, Be it also Enacted, That any Inhabitant of said Town, permitting his, her, or their Chimney to take Fire, so as to blaze out at the Top, shall forfeit and pay the Sum of ten Shillings Current Money for every such Offence: And any Person living in a House in said Town, with a Chimney, and in Use, who shall not keep a Ladder high enough to reach the Top of the Roof of such House, shall also forfeit and pay the like Sum of ten Shillings like Money. [Of Chimneys taking Fire.]

And be it further Enacted, That all the Fines and Forfeitures in this Act mentioned, shall be recovered by and in the Name of the Commissioners aforesaid before a single Magistrate, as in the Case of small Debts, to be by them applied to the public Use of said Town, and accounted for in the same Manner as is directed by former Laws. [Fines, &c. how recovered.]

And be it further Enacted by the Authority aforesaid, That an Act entituled, A Supplementary Act to the Act entituled, An Act for laying out and erecting a Town at a Place called Long Point, on the West Side of North-East River in Cæcil County, made at a Session of Assembly begun and held at the City of Annapolis, the first Day of May, Anno Domini One thousand seven hundred and forty-four, be and is hereby continued in full Force. [Supplementary Act continued.]

This Act to continue for three Years from and after the End of this Session of Assembly, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said three Years. [Continuance of this Act.] p. 496

26th May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam: Ogle

the great Seal in wax appendant

1 June 1750
Read and Assented to by the Upper House of Assembly.
Signed p Order
J Ross Cl Up Ho.

An Act to settle the Divisions between Frederick and Baltimore Counties, and also between Dorchester and Worcester Counties. No. 13

Whereas, some Disputes have arisen between the Inhabitants of Frederick and Baltimore Counties, and the Inhabitants of Dorchester and Worcester Counties, concerning the Bounds and Limits of their respective Counties; for Remedy whereof, [Preamble.]

Liber B.L.C.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That that Part of Frederick County which was formerly included in Prince George's County, be and is hereby divided from Baltimore County, in Manner and Form following; that is to say, beginning at a Spring called Parr's Spring, and running from thence North thirty-five Degrees East to a bounded white Oak, standing on the West Side of a Waggon Road called John Diggs's Road, about a Mile above a Place called the Burnt-house Woods, and running thence up the said Road to a bounded white Oak, standing on the East Side thereof at the Head of a Draught of Sam's Creek; thence North fifty-five Degrees East to a Spanish Oak standing on a Ridge near William Roberts's, and opposite to the Head of a Branch called the Beaver-Dam; and running thence North twenty Degrees East, to the temporary Line between the Provinces of Maryland and Pennsylvania, being near the Head of a Draught of Conowaugo, at a rocky Hill called Rattle-Snake Hill: And that the said Lines be, and are hereby established as the Boundaries of and between the said Frederick and Baltimore Counties: And that all the Lands on the South-East Sides of the said Lines be deemed to be in Baltimore County, and all the Inhabitants therein to be Inhabitants and Residents of Baltimore County; and that all the Lands on the West-North-West Sides, Part of Frederick County, and all the Inhabitants therein to be Residents and Inhabitants of Frederick County aforesaid. And that the Branch running up to the Widow Owens, late the Wife of William Owens, and from thence up the main Branch between John Marriot's and Edward Burris's, be, and is hereby declared to be the Division between the two Counties of Dorchester and Worcester: And that all the Lands on the North Side of the said Branch be deemed to be in Dorchester County, and the Inhabitants thereof deemed to be Inhabitants and Residents of Dorchester County: And that all the Lands lying to the Southward of the said Branch be deemed to be in Worcester County, and the Inhabitants thereof be deemed to be Inhabitants and Residents of Worcester County; any Law, Usage, or Custom, concerning the reputed Bounds of the several and respective Counties aforesaid, to the contrary in any wise notwithstanding.

[Boundary between Frederick and Baltimore Counties.]

[And between Dorchester and Worcester Counties.]

And be it further Enacted by the Authority aforesaid, That the Justices of Frederick County for the Time being shall, and they are hereby directed and impowered, to levy on the taxable Inhabitants of their County, at the laying of their next County Levy, the Sum of fourteen Pounds sixteen Shillings Current Money, to be paid in Manner and Form following; that is to say, To Nathaniel Wickham the Sum of four Pounds, to Joseph Ogle the Sum of four Pounds, to Thomas Franklin the Sum of two Pounds six Shillings, to Thomas

[Money to be levied and paid to the Commissioners and Assistants.]

Beatty two Pounds, and to John White the Sum of two Pounds ten Shillings: And also that the Justices of Baltimore County for the Time being shall, and they are hereby directed and impowered to levy on the taxable Inhabitants of their County, at the laying of their next County Levy, the Sum of fourteen Pounds sixteen Shillings Current Money, to be paid in Manner and Form following; that is to say, to Thomas Beatty the Sum of two Pounds, to John Dorsey, junior, of Patuxent in Anne Arundel County, four Pounds; to Daniel Rawlings, senior, four Pounds; to Thomas Sheredine two Pounds six Shillings, and to John Stinchicomb two Pounds ten Shillings; for their several and respective Services, as Commissioners and Assistants in settling the Bounds of the said Frederick and Baltimore Counties: Together with five per Cent for the Sheriffs of Baltimore and Frederick Counties their Salaries, for collecting and paying the same. Liber B.L.C. p. 497

26th May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct. lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam: Ogle
the great Seal in wax appendant

1st June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross. Ct Up Ho.

An Act to oblige Owners, Overseers, and Managers of Iron-Works, to assist in repairing public Roads. No. 14

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Owner or Owners, Overseer or Overseers, or Managers of any Iron-Work or Works within this Province, shall from time to time, and at all Times hereafter, permit and suffer one Labourer out of every ten labouring Persons, belonging to or employed in working at such Work or Works, to observe the Orders of the respective Overseers of the Highways, where such Work or Works are or may be, in assisting in or about the clearing, mending and repairing the Highways, or public Roads and Bridges, in such Manner as other Labourers and male taxable Persons are compelled to do, by an Act of Assembly of this Province entituled, An Act for the marking of Highways, and making the Heads of Rivers, Creeks, Branches and Swamps passable for Horse and Foot, made at a Session of Assembly begun and held at the Town and Port of Annapolis, the fifth Day of September, in the Year of our Lord Seventeen hundred and four; and subject to the like Pains and Penalties as are by the said recited Act directed: To be recovered and applied according to the Directions of an Act of Assembly entituled, An Act directing the Manner of the Recovery of Fines, for not appearing [Every tenth Person to assist in repairing the Highways.]

Liber B.L.C. at the clearing of the Highways; any Law, Usage, or Custom, heretofore to the contrary notwithstanding.

26th May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law.
Sam Ogle

the great Seal in Wax appendant

1st June 1750
Read and Assented to by the Upper House of Assembly.
Signed p Order
J Ross Ct Up. Ho.

No. 15 An Act to impower the Justices of Prince George's County Court, for the Time being, to treat and agree with an Undertaker or Undertakers to stop a Breach now made from the North-West Branch of Patuxent River in said County, across the main Road in Queen Anne Town in said County; and to levy on the taxable Inhabitants thereof a Sum of Money, for the Purposes therein mentioned.

[Justices to agree with the Undertaker, &c.] Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Prince George's County Court, for the Time being, or the major Part of them, at their Court to be held in
p. 498 the Months of June or August next, shall and may, if they judge necessary and convenient, treat and agree with an Undertaker or Undertakers to stop a Breach now made from the North-West Branch of Patuxent River in the said County, across the main Road in Queen Anne Town in the said County: And that when the said Breach is compleatly stopped and finished, according to the Agreement so as aforesaid to be made between the Justices aforesaid, or the major Part of them, and the Undertaker or Undertakers so to be agreed with to the Purpose aforesaid; it shall and may be lawful for the Justices of the said County Court for the Time being, and they are by this Act authorized, impowered, and directed, at their next November County Court after compleating the same Work, to assess
[And to levy 50 l. for that Purpose.] and levy on the taxable Inhabitants of the said County, a Sum not exceeding fifty Pounds Current Money, together with the Sheriff's Salary of five per Cent for Collection; and when the same is so assessed and levied, to pay the same to the Order or Orders of the Justices aforesaid, or the major Part of them, who are hereby impowered and directed to give such Order or Orders accordingly.

26th May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam. Ogle

the great Seal in Wax appendant

1 June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up Ho.

A Supplementary Act to the Act entituled, An Act to impower the Justices of Queen Anne's County Court to sell the Materials of the old Prison of that County, and the Produce thereof to apply as therein directed. Liber B.L.C. No. 16

Whereas, by an Act passed at a Session of Assembly held in May, Seventeen hundred and forty-nine, the Justices of Queen Anne's County were directed and required to bargain, sell, and dispose of the Materials of the House called the Old Prison or Goal of the said County; in Pursuance of which nothing has yet been done, for that the Materials would be of small Value to any Purchaser who should be obliged to pull down and remove the same: And whereas the House aforesaid may readily be repaired and made habitable, and would sell to Advantage, were the Justices impowered to dispose of a small Part of the public Ground, whereon the said House stands, and adjoining thereto. [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful for the Justices of Queen Anne's County Court for the Time being, and they are hereby directed and required, after the End of this present Session of Assembly, as soon as conveniently may be, to bargain, sell, and dispose of, for the greatest Price in Current Money that can be got for the same, the House heretofore erected for the Prison or Goal of the said County, and now commonly called and known by the Name of the Old Prison; together with the Quantity of one fourth Part of an Acre of Land, Part of the Land heretofore laid out for the Use of the Public, including within the Bounds of the said one fourth Part of an Acre, the Ground whereon the House aforesaid stands; which fourth Part of an Acre of Land the said Justices shall cause to be laid out and bounded by some skilful Person, for doing which he shall be paid the Sum of ten Shillings out of the Money arising from the Sale of the said House and Land; and the remaining Part thereof to be by them applied to the Uses in the above recited Act mentioned: And that a Deed of Bargain and Sale, signed, sealed, and delivered, by the Chief Justice of the said County Court for the Time being, and acknowledged by him before some Provincial Magistrate, and recorded in six Months by the Clerk of the County Court, shall intitle the Vendee and his Heirs for ever, to a sure, perfect and indefeazeble Estate of Inheritance in Fee Simple, of, in, and to the said fourth Part of an Acre of Land, and House aforesaid. [The Justices to sell the old Prison, with one Quarter of an Acre of Land.] p. 499

26th May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province. I will this be a Law
Sam Ogle

the great Seal in wax Appendant

1st June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. Ho.

Liber B.L.C. No. 17

An Act to enable the Vestrymen and Churchwardens of King and Queen Parish in St. Mary's County, for the Time being, to sell a certain Tract of Land therein mentioned; and to apply the Produce Money or Tobacco, arising by such Sale, towards the Purchase of another Piece of Land to be made a Glebe, for the Use of the Incumbent of that Parish and his Successors.

[Preamble.] Whereas the Vestrymen, Churchwardens, and several Parishioners of King and Queen Parish in St. Mary's County, by their humble Petition to this present General Assembly, have set forth, that they, in Right of the Parish, are seized of a Parcel of Land, bought for one hundred Acres, but containing, on surveying it, only seventy Acres; on which there are no Buildings, or even Firewood, whereby it is wholly useless to the said Parish: They therefore pray that an Act may pass, to enable them to sell the said Land, and to apply the Produce Money arising by such Sale, towards the Purchase of another Piece of Land, to be made a Glebe, for the Use of the Incumbent of that Parish and his Successors; which being by this present General Assembly thought reasonable, it is prayed that it may be Enacted:

[Land to be purchased for a Glebe, with the Money arising from the Sale of the Land first mentioned.] And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Vestrymen and Churchwardens of King and Queen Parish in St. Mary's County, for the Time being, or the major Part of them, be, and are hereby authorized and impowered to sell and dispose of, for the greatest Price they can get, the aforesaid Tract of Land; and the Produce Money or Tobacco arising by such Sale, to apply towards the Purchase of another Piece of Land, lying in King and Queen Parish in St. Mary's County: And that such other Land, when so purchased, shall be made over to the Vestrymen and Churchwardens aforesaid, or the major Part of them, in Trust, and for the Use and Benefit of the Minister or Incumbent of said Parish for the Time being, and to his Successors, Ministers or Incumbents of said Parish, for ever.

26th May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam. Ogle
the great Seal in Wax Appendant

1st June 1750
Read and Assented to by the Upper House of Assembly.
Signed p Order
J Ross Cl. Up. Ho.

No. 18 An Act for the Relief of Philip Cazear, a languishing Prisoner in Cæcil County Goal.

[Preamble.] Whereas Philip Cazear, of Cæcil County, by his humble Petition to this General Assembly has set forth, that by divers unavoidable

Misfortunes, Sickness, and other Casualties, he hath been much reduced in his Fortune; and is advanced in Years, and feeble and weak in Body; and hath, through the Inhumanity of his Brother in Law, Hance Hanson, been confined in the common Goal of Cæcil County for near three Years last past, for a pretended Debt of one hundred Pounds, or upwards; which Debt the said Philip Cazear alleges he can make appear a considerable Part to be paid; in tender Consideration whereof, it is prayed that it may be Enacted: Liber B.L.C.

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful for the Sheriff of Cæcil County for the Time being, and he is hereby directed and required, to release from his Prison and Confinement, and suffer to go at large, the said Philip Cazear; any Execution, Commitment, Statute, Law, Usage, or Custom, to the contrary in any wise notwithstanding. [The Sheriff to set Philip Cazear at Liberty.]

Provided always, And it is the true Intent and Meaning of this Act, that before the said Sheriff shall so as aforesaid release the said Philip Cazear, he the said Philip shall give good Security, to the Liking of the Justices of Cæcil County Court, or the major Part of them, that he the said Philip shall and will file a Bill in the High Court of Chancery of this Province, in three Months after his Releasement, against the said Hance Hanson, in order to bring the Matter and Accounts, depending between him the said Philip Cazear and the said Hance Hanson, to a fair and equitable Hearing in the said Court; and pay what shall be there decreed. p. 500 [The said Cazear to file a Bill in Chancery against Hanson.]

And be it likewise Enacted, That in case the said Sheriff of Cæcil County, for the Time being, shall be sued, molested, or disturbed, for releasing the said Philip Cazear, in Virtue of, and by Direction of this Act; he shall and may plead the General Issue, and give this Act and the special Matter in Evidence to such Action; and any Person or Persons so molesting or suing him the said Sheriff, shall pay him double Costs; any Law, Statute, Usage, or Custom, to the contrary in any wise notwithstanding. [Sheriff not to be sued for complying with this Act.]

26th May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam. Ogle

the great Seal in Wax appendant

1st June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross. Ct Up Ho.

Liber B.L.C. No. 19

An Act to enable the Rector and Vestrymen of Great Choptank Parish in Dorchester County, to lease some Land belonging to the said Parish, unimproved.

[Preamble.]

Whereas, the Rector and Vestrymen of Great Choptank Parish in Dorchester County, by their humble Petition to this present General Assembly, have set forth, That by the Law erecting the Town of Cambridge in the County aforesaid, there is a much greater Quantity of Land reserved for the Use of the Parish Church than is necessary; and therefore prayed, that such Land as is not impaled or fenced in, belonging to the said Parish Church, might be leased out by the said Rector and Vestrymen, or the major Part of them, for the Time being, for the Use and Benefit of the Rector for the Time being.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this present Session of Assembly, it shall and may be lawful for the Rector and Vestrymen of the said Parish for the Time being, to grant, lease, demise, and to Farm let, to any Person or Persons willing and capable to take the same, any such Part or Quantity of Land unimproved, belonging to Great Choptank Parish aforesaid, so that such Part or Quantity exceed not in the Whole one Acre and an half Acre, by Deed indented under the Hands and Seals of the said Rector and Vestrymen for the Time being, or the major Part of them, and on such Conditions, Covenants and Provisoes, yearly Rents and Agreements, as the said Rector and Vestrymen for the Time being, or the major Part of them, and the Person or Persons who shall from time to time be willing and desirous to take the same, or any Part thereof, as can be agreed, for any Term not exceeding twenty-one Years, or three Lives.

[The Rector and Vestrymen to lease Lands unimproved.]

[The Leases to be renewed at the End of 21 Years.]

And be it further Enacted by the Authority aforesaid, That the Rector and Vestrymen for the Time being, or the major Part of them, have full Power and Authority, after the Expiration of the said Term of Years, to grant new Leases for the Premises for twenty-one Years, or three Lives, to the Use, Intent, and Purpose in this Act mentioned, and to no other; and for a shorter Time, as to them, or the major Part of them, for the Time being, shall seem convenient.

[The Rents to be for the Use of the Rector.] p. 501

And be it further Enacted and Declared, That the yearly Rents, Revenues, and Profits of the said Land, so leased or to be leased, and every Part thereof, shall, and are hereby declared to belong, and be applied to the Use and Benefit of the Rector for the Time being.

And be it further Enacted, That in all and every such Leases or Grants of the said Premises, there shall be a Clause inserted, obliging the Lessee or Lessees to build Brick or Stone Chimneys, to all and every of the Buildings where Fire is to be used, to be erected on the said Land; and that no Fire shall be made or kept in any Wooden Chimney, on any Part of the Premises; otherwise the Lease or Leases to be void. Liber B. L. C. [A Clause to be inserted in the Leases.]

30th May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province. I will this Be a Law.
Sam Ogle

the great Seal in Wax Appendant

1st June 1750.
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross. Ct Up Ho.

An Act continuing an Act entituled, An Act for the speedy and effectual Publication of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer. No. 20

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer, made at a Session of Assembly begun and held at the City of Annapolis, the twenty-fourth Day of May, Anno Domini Seventeen hundred and forty-nine, be and is hereby continued, and shall be and remain in full Force, until the first Day of December, which shall be in the Year of our Lord Seventeen hundred and fifty-two. [An Act continued.] [Continuance of this Act.]

And whereas it is thought expedient, that each Inspection-Office be furnished with the several Laws relating to the Inspection of Tobacco, the better to enable the Inspectors for the Time being to know their Duty; and that each Vestry be furnished with such Laws likewise. Be it therefore Enacted by the Authority, Advice, and Consent aforesaid, That for the annual Allowance already made and provided for Jonas Green, he be hereby further obliged, and it be deemed Part of his Duty, to print, stitch, and deliver to the Clerks of the respective Counties, within three Months after the End of this present Session of Assembly, to be by them delivered to each Vestry, and to the Inspectors of each Inspecting-Office, in the respective Counties of this Province, all the Laws relating to the Inspection of Tobacco, made at this present or any former Session of Assembly, or that shall be made at any future Session during the Continuance of this Act: For which the said Jonas Green is to be [Laws relating to the Inspection, to be delivered to each Vestry and Inspecting-Office.]

Liber B.L.C. allowed in the public Levy, when laid, the Sum of five Pounds Current Money, and no more.

31st May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law.
Sam. Ogle

the great Seal in Wax appendant

1st June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross. Ct. Up. Ho.

No. 21 An Act to enable the Justices of Frederick County to levy a Sum of Money on the taxable Inhabitants of All Faith's Parish in the said County; and for the building a Chapel of Ease in King and Queen Parish in St. Mary's County, and for other Purposes therein mentioned.

[Preamble.] Whereas, the Vestrymen, Churchwardens, and other the Parishioners of All Faith's Parish in Frederick County, have, by their humble Petition to this General Assembly, prayed that the Sum of one hundred Pounds Current Money may be levied on the taxable Inhabitants of the said Parish, to enable them to finish the building of their Parish Church in Frederick-Town.

[100 l. to be levied for finishing the Church at Frederick-Town.] Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful for the Justices of the said County, and they are hereby required and directed, at the Time of their next laying the Levy for the said County, and at the Time of laying their Levy in the Year Seventeen hundred and fifty-one, to assess and levy on the taxable Inhabitants of the said Parish, by even and equal Portions, the Sum of one hundred Pounds Current Money, clear of the Sheriff's Commission of five Pounds per Centum, for collecting the same, which said Sum of one hundred Pounds the said Sheriff is hereby authorized and required to pay to the Order of the said Vestrymen and Churchwardens, to be by them applied for the finishing and compleating the said Church, and to no other Use or Purpose whatsoever. And the Minister of the said All Faith's Parish for the Time being shall be, and he is hereby obliged, not being hindered by Sickness, or some other lawful Cause, to perform Divine Service, and preach a Sermon at the said Parish Church, and at each of the two Chapels of Ease belonging to the said Parish, on every third Sunday, to commence from and after the End of this Session of Assembly.

And whereas the Vestrymen, Churchwardens, and very many other the Inhabitants of King and Queen Parish in St. Mary's County, have also by their humble Petition to the same General Assembly set forth, that the Parish Church therein is so situated,

that the said Petitioners cannot, without riding a great Distance, attend the Service of God there; and have therefore prayed that an Act may pass for the levying what may be sufficient to build a Chapel of Ease on the Land at Tomachokin, belonging to James Neale: Which Petition it is, for the Ease of the said Petitioners, thought reasonable to grant. Liber B.L.C.

Be it therefore Enacted by the Authority aforesaid, That the Vestrymen and Churchwardens of King and Queen Parish aforesaid, or the major Part of them, for the Time being, be, and they are hereby authorized and impowered to purchase in Fee, in the Name of the said Vestrymen and Churchwardens of the said Parish, one Acre of Land, being near Tomachokin Run in the said Parish, on Part of a Tract of Land belonging to, and in the Possession of James Neale; and after such Purchase, to meet and agree with such Person or Persons as the major Part of them shall think fit to employ, to build and erect thereon a Chapel of Ease, for the Use of the Inhabitants of the said Parish; which said Land, when so purchased, and the said Chapel so built, shall be, and is hereby declared to be deemed and taken, as the Land and Chapel of Ease of the said Parish; and that the same shall for ever hereafter be supported and repaired at the Charge of the said Parish: And that the Minister or Incumbent of the said Parish, not being hindered by Sickness, or some other lawful Cause, shall attend his Duty there, and officiate at the same, on every third Sunday, after the said Chapel shall be so erected and built. p. 502 [One Acre of Land to be purchased to build a Chapel on.]

And be it further Enacted by the Authority aforesaid, That the Justices of St. Mary's County for the Time being shall be, and they are hereby authorized and required, on the Application of the Vestrymen and Churchwardens of the said Parish, to assess and levy on the taxable Inhabitants of the said Parish, a Quantity not exceeding twenty thousand Pounds of Tobacco, clear of the Sheriff's Salary of five per Centum thereon, for and during the Term of three Years next ensuing, to be paid as other Public and County Levies may be discharged by the Laws now in Force relating thereto; and which shall be collected by the Sheriff of the said County as other public Dues are, and by him paid to the Order of the said Vestrymen and Churchwardens for the Use aforesaid, and no other. [20000 lb. of Tobacco to be levied, for building the said Chapel.]

And whereas the Parish of William and Mary, in St. Mary's County, has at present but two Churches therein, which are so situated, that a great Number of the Parishioners, living at the Upper End thereof, cannot possibly attend Divine Service at either of them; by Reason whereof the present Incumbent, the Reverend Mr. Lawrence De Butts, has for several Years last past kept Church at, and preached in the Court-House of the said County; which is found to be greatly for the Ease and Benefit of the Parishioners of [The Incumbent to preach every third Sunday at the Court House.]

Liber B.L.C. p. 503

the Upper Part of the said Parish. Be it therefore Enacted by the Authority aforesaid, That from henceforth the said Mr. De Butts shall, and he is hereby required and obliged to perform Divine Service, and preach in the said Court-House, every third Sunday, as he has lately done, unless he shall be hindered therefrom by Sickness, or some other lawful Cause; any Order of the Vestry, or Custom, to the contrary in any wise notwithstanding.

31st May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam. Ogle

the great Seal in Wax appendant

1. June 1750
Read and Assented to by the Upper house of Assembly.
Signed p Order
J Ross. Cl Up Ho.

No. 22 An Act to encourage the destroying of Squirrels and Crows, in the several Counties therein mentioned.

[Allowance for killing Squirrels & Crows, in Dorchester, Baltimore, and Cecil Counties.]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Dorchester, Baltimore, and Cæcil Counties respectively, shall, at the laying of their County Levies, yearly, allow unto the several Inhabitants of their said Counties respectively, for the Scalp of every Squirrel, and the Head of every Crow, the Sum of two Pounds of Tobacco, that shall be produced over and above the three Squirrel Scalps or Crows Heads, which they are obliged to produce by any former Law of this Province.

[County Justices to give Certificates to Persons bringing Heads of Squirrels or Crows.]

And be it likewise Enacted, That from and after the tenth Day of June, Seventeen hundred and fifty, every Person or Persons, who shall bring to any Justice of the Peace within the said Counties of Dorchester, Baltimore, and Cæcil, any Squirrel's Scalp or Crow's Head, and shall and will make Oath on the Holy Evangels of Almighty God (or Affirmation if a Quaker) that the Squirrels or Crows, of which he, she, or they then and there actually produced the Heads or Scalps of, were really and bona fide killed within such County after the said tenth Day of June, Seventeen hundred and fifty (naming the County); and upon such Oath taken, or Affirmation made, that the Justice of the Peace of the respective Counties aforesaid, before whom such Oath shall be taken or Affirmation made, and such Scalps or Crows Heads produced, shall, and he or they are hereby directed to burn, or cause to be burnt, such Scalps or Heads in his Presence, to the intire destroying of them; and after such burning and destroying such Justice of the Peace shall, and he is hereby directed to give to the Person or Persons bringing such Scalps or Heads, and making Oath or Affirmation as aforesaid, a Certificate of his, her, or their having produced the same; insert-

ing therein the Number of each, and the County wherein the Party bringing them proved the killing such Squirrels or Crows in. Liber B.L.C.

And be it likewise Enacted, That such Oath, or Affirmation if a Quaker, and Certificate obtained, shall intitle the Person and Persons to the Quantity of Tobacco herein directed to be paid, for such Squirrels and Crows so killed, in the then next County Levy of such County, where such Squirrels and Crows have been killed and destroyed. [Reward for killing Squirrels, &c.]

And be it likewise Enacted, That the several and respective Inhabitants of St. Mary's County within this Province shall be, and are hereby obliged from and after the Time aforesaid, to bring to some Magistrate, at or before the laying the Levy in the said County yearly, one Squirrel or Crow Head per Tax, over and above the three Squirrels Scalps or Crows Heads, that they are obliged to produce by Virtue of any former Law, under the like Penalty that they are subject to by any former Law, with Regard to the said three Squirrels Scalps or Crows Heads. And that the Justices of the said County shall, and they are hereby obliged to allow in their County Levy, for all the Squirrel Scalps and Crows Heads, which shall be killed within the said County after the Time aforesaid, the Quantity of two Pounds of Tobacco, over and above the Number of four Squirrels Scalps or Crows Heads, which every Person in the said County is by this and other Laws obliged to produce. [Squirrels, &c. in St. Mary's County.]

And be it likewise Enacted, That the several and respective Inhabitants of Anne Arundel County, from and after the Time aforesaid, shall be, and are by this Act obliged to bring to some Magistrate of the said County, at or before the laying the Levy in the said County yearly, three Squirrels Scalps or Crows Heads per Tax, over and above the three Squirrels Scalps or Crows Heads that they are obliged to produce by Virtue of any former Law of this Province, under the like Penalty that any Person or Persons are subject to by any former Law, with Regard to the first mentioned three Squirrel Scalps, or Crows Heads. [In Anne Arundel County.] p. 504

And be it likewise Enacted, That every Person in St. Mary's, Baltimore, Dorchester, Kent, Queen Anne's, Talbot, and Cæcil Counties, who is obliged to kill any Number of Squirrels or Crows by this or any other Act, or that shall be intitled to any Bounty for killing Squirrels or Crows by this or any other Act; he, she, or they, or some other credible Person, shall make Oath (or Affirmation if a Quaker) before some Magistrate, that such Squirrels or Crows were killed in the County where such Party resides; any Law to the contrary in any wise notwithstanding. [St. Mary's, Baltimore, Dorchester, Kent, Queen Anne's, Talbot, and Caecil Counties.]

Provided always, That it shall and may be lawful for the several and respective Inhabitants within this Province, to pay and discharge the said several and respective Quantities of Tobacco, so to be levied [Proviso.]

Liber B.L.C. and raised to and for the Uses aforesaid, in Current Money, in the same Manner as they are enabled to pay and discharge the Public or County Levy.

[Continuance of this Act.] This Act to be in Force for and during the Term of two Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of two Years.

31st May 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo Ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam Ogle

the Great Seal in Wax appendant

1 June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross. Ct Up. Ho.

No. 23 An Act impowering the Rector, Vestrymen and Churchwardens, of Queen Caroline Parish, in Anne Arundel County, for the Time being, to purchase one Acre of Land, and thereon to build a Chapel of Ease in the said Parish; and to impower the Justices of the said County to levy on the taxable Inhabitants of the said Parish the Sum of Twelve Pence Current Money, yearly, by three annual Assessments, for the Uses therein mentioned.

[Preamble.] Whereas, the Rector, Vestrymen, and Churchwardens of Queen Caroline Parish, in Anne Arundel County, by their humble Petition to this present General Assembly, have set forth, that the Bounds and Limits of said Parish are so extensive, that many of their Parishioners cannot, without great Fatigue and Inconvenience, attend Divine Service at the Parish Church; and that the Inhabitants of the upper Part of that Parish had applied to them, requesting that a Chapel might be built at the Charge of the Parish: They the Petitioners, thinking the said Parishioners Request reasonable, had published their Intention to comply therewith, provided the Bulk of the People in the Parish were willing to be taxed, to support the Charge thereof: And that in Consequence of such Publication, they the Petitioners having heard of no material Objection thereto, they thought it proper to have a Chapel of Ease built for the said Parish, at a Place commonly known by the Name of Poplar Spring; which Place had been viewed and pitched upon by the Petitioners for that Purpose, on Part of a Tract of Land belonging to Mr. Levin Lawrence. They therefore prayed an Act might pass, for levying a Tax of twelve Pence Current Money per Poll, on the taxable Inhabitants of the Parish aforesaid, yearly, for three Years next ensuing, to enable the Petitioners to build a Chapel of Ease at the Place aforesaid. All which being thought reasonable, it is prayed that it may be Enacted;

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Gover-

nor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Vestrymen and Churchwardens of Queen Caroline Parish, in Anne Arundel County, for the Time being, or the major Part of them, be, and are hereby authorized and impowered to purchase in Fee, in the Name of the Rector, Vestrymen and Churchwardens of the said Parish for the Time being, one Acre of Land, lying at or near a Place in the said Parish, commonly known by the Name of Poplar Spring, on Part of a Tract of Land, belonging to Mr. Levin Lawrence, and to treat and agree with such Person or Persons as they, or the major Part of them, shall think proper to employ, to build a Chapel of Ease thereon, for the Use of the Inhabitants of said Parish; which said Land, when so purchased, and the said Chapel so built, the same shall be and is hereby declared to be constituted and deemed the Land and Chapel of Ease of the said Parish, and the said Chapel for ever hereafter shall be supported and repaired at the Charge of the said Parish.

Liber B.L.C. [Land to be purchased, on which to build a Chapel of Ease.] p. 505

And be it further Enacted, That the Justices of Anne Arundel County Court, for the Time being, shall be, and they are hereby authorized, directed, and required, on the Application of the Vestrymen and Churchwardens of Queen Caroline Parish aforesaid, to assess and levy on the taxable Inhabitants of the said Parish the Sum of twelve Pence Current Money per Taxable, annually, together with the Sheriff's Salary of five Pounds per Centum, for and during the Term of three Years next ensuing, to be paid by the Parishioners aforesaid by the tenth Day of April yearly; which said Assessments so to be levied, shall be collected by the Sheriff of Anne Arundel County for the Time being, who is hereby authorized and required to collect the same. And the said twelve Pence per Taxable, when so as aforesaid collected, shall be paid by such Sheriff to the Vestrymen and Churchwardens aforesaid, who are hereby authorized and required to apply the same to the Uses aforesaid.

[12 d. to be levied on the Parishioners, for 3 years.]

31st May 1750.
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam. Ogle

the great Seal in wax appendant

1 June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. Ho.

An Act to Enable George Catto of Cecil County Gentleman and Araminta his Wife Executrix of William Alexander late of the County aforesaid Gentleman her former Husband deceased, to Sell Lands.

No. 24 [Private Act.]

Whereas the said George Catto and Araminta by their humble Petition to this General Assembly have set forth That the said William Alexander died considerably in Debt to sundry Persons

Liber B.L.C. more than the whole amount of his Personal Estate beside a large Debt due to the Paper Currency office, That your Petitioner Araminta having paid away the said Estate as far as it would go (as by the Commissary Generals office may appear) there is a Debt due to the said Office antecedent to a Marriage Settlement made on your Petitioner Araminta her Marriage with the said Alexander, which Marriage Settlement was dated on the twenty fifth Day of July Seventeen hundred and thirty eight That the said William Alexander dyed Possessed of one Messuage and two Acres or a hundred and twenty square Perches of Land more or less lying in Annapolis in which M[r] George Atkinson now lives part of the said Alexanders Real Estate and which by distance of your Petitioners is rather a Charge than Proffit to the said Estate and likely so to continue or run to decay so as to be of no Benefit to the said Alexanders Heir at Law And forasmuch as it has been made appear unto this General Assembly That the said William Alexander at the time of his Death dyed Indebted more than all his Personal Estate did amount to, and that the said Executrix has already paid and is Chargeable to pay more than all the deceased's Estate will amount to, And that there is about the sum of four hundred Pounds Current Money due and owing to the Commissioners of the Loan Office upon Interest Antecedent to the Twenty fifth Day of July Seventeen hundred and thirty eight aforesaid And Whereas Robert Alexander
p. 506 the Testator's Son and Heir at Law is a minor now about Eleven Years of Age to whom the said Message and Tenement descends by Inheritance and that before he arrives at full Age the aforesaid Principal Money with the Interest accruing thereon will Totally exhaust the Value of the said Messuage and Tenement and his whole Real Estate And it appearing to this General Assembly that the giving leave to Sell and Dispose of the aforesaid Messuage and Tenement may not only be a benefit to the Widow and Executrix aforesaid but likewise to the Heir at Law to preserve the rest of Real Estate clear of Incumbrances when he comes of Age Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That at any time within Six Months from and after the end of this present Session of Assembly it shall and may be Lawfull for the said George Catto and Araminta his Wife Executrix aforesaid or the Survivor of them, and they are and the Survivor of them is hereby impowered after three Weeks Advertisement in the Maryland Gazette of the day of Sale in Publick manner by Vendue to sell Dispose and Convey all and singular the aforesaid Messuage and Tenement for the best price that can be gotten in Current Money in fee Simple in as full and ample manner as the aforesaid William Alexander could or might have done in his life-

time which Consideration shall be, by the Purchaser or Purchasers aforesaid and they are hereby directed and required to pay the same into the hands of the Commissioners of the Loan Office to be by them in the first place retained and applyed towards discharging the Debts of the said Alexander in their said Office Antecedent to the Twenty fifth Day of July Seventeen hundred and thirty eight aforesaid and the Surplus if any to be by them paid over to the said Araminta Executrix as aforesaid of the said Alexander her Executors or Administrators to be by her or them retained and to become Payable to the aforesaid Minor when he shall attain his full Age of Twenty one Years and in Case the said George Catto and his Wife Araminta or the Survivor of them shou'd neglect or refuse to make Sale of the Premisses within the time Limitted by this Act, That then and in such Case it shall and may be Lawfull to and for the Sheriff of Ann Arundel County for the time being and he is hereby directed and required within one Year from and after the end of the aforesaid Six months in manner aforesaid to Sell Dispose of and Convey the aforesaid Premises for the best Price that can be gotten in Current money which Price shall be paid apply'd and disposed of in manner before directed the said Sheriff for his Trouble and Charge in Selling the same being allowed out of the said Purchase Money the rate of two Pounds ten Shillings per Centum and no more And Be it likewise Enacted by the Authority aforesaid by and with the Consent aforesaid That the same Security given by the same Araminta upon taking out Letters Testamentary to the said William Alexander shall stand Security and be Construed deemed and taken to extend to her duty of Executrix under this Act any Law Usage or Custom to the Contrary notwithstanding Saving to his most Sacred Majesty his Heirs and Successors The Right Honourable the Lord Proprietary his Heirs and Successors and all Bodys Politick and Corporate and all others not mentioned in this Act their Several and Respective Rights. Liber B.L.C.

1 June 1750
Read & Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam. Ogle

the great Seal in Wax appendant

1 June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl Up Ho.

A Supplementary Act to the Act entituled, An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse-Rangers within this Province; and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts, that run in the Woods. No. 25 p. 507

Whereas, it is Enacted by the above-recited Act, "That whenever any Horse, Mare, or Gelding shall break into any Corn-field, [Preamble.]

Liber B.L.C. or other Inclosure, and the Owner be not known, that then, and in all such Cases, it shall and may be lawful for the Party grieved to take up such Horse, Mare or Gelding so trespassing, and the same to carry before the next Magistrate, who shall be obliged to take an Account of the Marks of such Beasts, both natural and artificial, which the Persons aggrieved shall set up in the most public Places in the same County; and until the Owner shall be known, it shall and may be lawful for such injured Person to use and employ such Horses, Mares and Geldings, without incurring the Penalties in this Act herein after imposed, not injuring such Beast by any careless or wilful Means; which Beast shall be delivered in good Order to the Person owning the same, proving his Property by the Testimony of one Witness, before any Magistrate." Which Method by Experience is found inconvenient to the Owner or Owners of such Horses, Mares or Geldings, they being very often kept for a considerable Time in the Possession of the Party by whom such Horse, Mare or Gelding are taken up, before the same comes to the Knowledge of the Owner of such Horse, Mare or Gelding: For Prevention whereof,

[Accounts of Strays to be set up in public Places.] Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this Session of Assembly, the Party grieved, who shall take up such Horse, Mare or Gelding, trespassing as aforesaid, shall be, and is hereby obliged and directed to set up such Account, so taken by the Magistrate as aforesaid, describing the Marks of such Beasts, both natural and artificial, at the Court-House Door, and other public Places, in the County where such Horse, Mare or Gelding shall be taken up, within five Days after such Account taken; and moreover cause the Marks natural and artificial of such Horse, Mare or Gelding, to be recorded amongst the Records of such County Court, within five Days after such Account shall be taken; and cause the same to be published in the Maryland Gazette, in six Months after such Account shall be taken, and the Expences arising thereon shall be paid by the Owner or Owners of such Horse, Mare or Gelding, at the Time of his receiving any such Horse, Mare or Gelding; any Law, Usage, or Custom, to the contrary in any wise notwithstanding.

[Concerning Persons now possessed of Strays.] And be it also Enacted, That if any Person within this Province shall now have in his or her Possession any such Horse, Mare or Gelding, so taken up as aforesaid, he or she shall be, and is hereby obliged and directed, within sixty Days after the End of this Session of Assembly, to set up an Account of such Horse, Mare or Gelding, taken by some Magistrate as aforesaid, describing the

Marks both natural and artificial of such Beasts, and the same to publish, record and advertise, in the same Manner that any Person is obliged by this Act to do, in relation to any Horse, Mare or Gelding, which shall be taken up after the End of this Session; any Thing in the aforesaid recited Act to the contrary in any wise notwithstanding. Liber B. L. C.

And be it further Enacted, That any Person that shall take up such Horse, Mare or Gelding, and that shall act contrary to the Directions of this Act, shall for every such Offence forfeit the Sum of thirty Pounds Current Money, one half to the Informer, the other half to the Party grieved; to be recovered in any County Court of this Province, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed. [Penalty on not complying with this Act.]

This Act to continue three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of three Years. p. 508 [Continuance of this Act.]

2d June 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara. Cl lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam. Ogle

the great Seal in wax appendant

2d June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross. Ct. Up. Ho.

An Act for the Sale of certain Lands and Houses belonging to the Free-School in the City of Annapolis, called King William's School. No. 26

Whereas, the Rector and Visitors of the Free School in the City of Annapolis, called King William's School, are seized, in their incorporated and political Capacity, of a Parcel of Land in Dorchester County, called Surveyor's Forest, containing six hundred and fifty Acres, devised to them in and by the last Will and Testament of Thomas Smithson, late of Talbot County, Esq; deceased; which Land brings in no annual Profit, but on the contrary, the Quit-Rent of it arising due to the Lord Proprietary is an annual Charge: And that the said Rector and Visitors are likewise seized of several Houses and Lots in Annapolis, which Houses and Lots are upon Leases, rendering some small Rent; yet such Rent is not equal to the Interest of the Money, which the Rector and Visitors hope the said Lots and Houses might sell for. And whereas the chief Support of the said School at present is the Interest of a Sum of Money, bequeathed by the Honourable Benedict Leonard Calvert, Esquire, late Governor of Maryland, deceased, for supporting the same: [Preamble.]

Liber B.L.C. And that the said Rector and Visitors conceive it would be advantageous to the said School, to sell and dispose of the said Land, Houses and Lots, and to apply the Money arising by such Sale, or the Interest thereof, to support the same School.

[Rector and Visitors to sell Land, &c.] Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful to and for the said Rector and Visitors, or the major Part of them, to sell and dispose of the said Lands, Lots, and Houses, or any of them, in such Manner as they may judge most advantageous to the said School; and that the Deed or Deeds, Assurance or Assurances, in Law, shall be made under the Seal of the Corporation of the said Rector and Visitors, and signed by the said Rector, and recorded in the Provincial Court Records; and shall be adjudged and deemed to convey to the Purchaser or Purchasers such Estate or Estates in Fee Simple, or otherwise, as shall be contained in the said Deed or Deeds.

[Proviso.] Provided nevertheless, That this Act, or any Thing herein contained, or the Sale or Sales of the said Lots and Houses, to be made by Virtue hereof, shall not extend, or be construed to extend, to prejudice or affect any Right or Title, either in Law or Equity, which the present Lessee or Lessees may have or claim, in or to the said Lots or Houses; but that such Right or Claim is hereby saved, notwithstanding this Act, or any Thing herein contained.

[Money arising from the Sale of Lands to be put out to Interest.] And be it further Enacted by the Authority, Advice, and Consent aforesaid, That the Rector and Visitors of the said King William School shall, and they are hereby obliged and directed to lay out the Money arising by the Sale of the said Land called Surveyor's Forest, and the said Lots and Houses in the City of Annapolis, at Interest on good Security, for the Use of the said School; and that the annual Interest arising therefrom shall be applied towards the Payment of a Master, Masters, or Usher of the said School, and to no other Use or Purpose whatever.

p. 509

Saving to his most sacred Majesty, and his Successors; the Right Honourable the Lord Proprietary, his Heirs and Successors; and to all others not mentioned in this Act; their several and respective Rights.

2d June 1750
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law
Sam. Ogle

the great Seal in Wax Appendant

2d June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross. Cl. Up Ho.

An Act to Impower James Sterling Rector of Saint Pauls Parish in Kent County to convey two Tracts of Land the one called Huddle's Right the other called Rushmore lying in Kent County aforesaid

Liber B. L. C. No. 27

[Private Act.]

Whereas it appears to this present General Assembly that Rebecca Sterling Wife of the Reverand James Sterling Rector of Saint Pauls Parish in Kent County and the said James Sterling in the life time of the aforesaid Rebecca and with her Express free and Voluntary Consent contracted and agreed with a certain John Waltham late of Kent County deceased for the Sale of a certain Tract of Land called Huddle's Right lying in Kent County for and in Consideration of twenty five Shillings an Acre to be paid on the delivery of a Deed of Conveyance of the said Land called Huddles Right and that eighty three Pounds part of the Purchase Money aforesaid was Actually paid to the said Rebecca in her life time And Whereas it also appears That the said Rebecca and the said James in the life time of the said Rebecca and with her express free and Voluntary Consent did contract and Agree with a certain Thomas Ayres of Kent County aforesaid for the Sale of a Tract of Land called Rushmore lying in Kent County aforesaid for and in Consideration of twenty five Shillings an Acre to be paid within one Year after the Delivery of a Deed of Conveyance That in Pursuance of the aforesaid Contracts and Agreements so as aforesaid Respectively made the aforesaid John Waltham and Thomas Ayres respectively entered into and took Possession of the aforesaid Tracts of Land respectively That a certain Sarah Waltham Widow of the aforesaid John Waltham doth now hold in behalf of her son John Waltham a Minor Heir at Law of the aforesaid John Waltham deceased the aforesaid Tract of Land called Huddles Right and the aforesaid Thomas Ayres in his own behalf doth now hold the aforesaid Tract of Land called Rushmore That Pursuant to the said Agreements the aforesaid Rebecca applyed herself to an Attorney at Law to draw the proper Conveyances who upon his Application to the said James Sterling had his Consent to draw the same but the Attorney so as aforesaid employed being obliged to attend his Duty at the Provincial Court could not prepare the Deeds of Conveyance as directed with such dispatch as he would otherwise have done That whilst the said Attorney was attending the Provincial Court the said Rebecca was Seized with a Sickness of which she dyed without having Executed any Deed of Conveyance according to her Agreement for either of the said two Tracts of Land called Huddles Right and Rushmore And Whereas the aforesaid James Sterling Sarah Waltham on behalf of her son John Waltham a Minor and Thomas Ayres by their humble Petition to this General Assembly have prayed that an Act may pass to enable the said James Sterling to convey the said Lands

Liber B.L.C. p. 510 of Huddles Right and Rushmore according to the Agreements aforesaid on payment to the said James Sterling of the Consideration Money due Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That it shall and may be Lawfull to and for the Reverend M[r] James Sterling and he is by this Act empowered on payment to him of the Consideration Money now unpaid to make and Execute one or more Deed or Deeds of Conveyance for the perfect Conveying and Assuring in the Law of the aforesaid Tract of Land called Huddles Right lying in Kent County aforesaid by way of Deed of Bargain and Sale Between him the said James Sterling of the one part and the aforesaid John Waltham now an Infant Heir at Law of the aforesaid John Waltham deceased of the other part And be it also Enacted by and with the Authority Advice and Consent aforesaid That it shall and may be Lawfull to and for the said James Sterling and he is by this Act empowered on Payment to him of the Consideration Money agreed and Contracted for to make and Execute one or more Deed or Deeds of Conveyance for the perfect Conveying and Assuring in the Law of the aforesaid Tract of Land called Rushmore lying in Kent County aforesaid by way of Deed of Bargain and Sale Between him the said James Sterling of the one part and the aforesaid Thomas Ayres of the other part And be it further Enacted by the Authority Advice and Consent aforesaid that when and so soon as the said James Sterling shall have Sealed and Delivered a Deed of Conveyance for the aforesaid Tract of Land called Huddle's Right to the aforesaid John Waltham Heir at Law of the aforesaid John Waltham deceased and shall have duly Acknowledged the same and the same shall be duly Recorded in the Provincial or Kent County Records that the said John Waltham shall be by the said Deed and by Virtue of this Act Vested with as Pure and absolute Estate in the said Tract of Land called Huddle's Right lying in Kent County aforesaid as if the same Rebecca and the said James Sterling had Conveyed the same to him the said John Waltham by Deed or Deeds of Conveyance (and the same had been Acknowledged and Recorded) in due form of Law to all Intents Constructions and Purposes whatsoever, any Law Statute Usage or Custom to the Contrary thereof in any wise Notwithstanding And be it further Enacted by the Authority Advice and Consent aforesaid That when and so soon as the said James Sterling shall have Sealed and Delivered a Deed of Conveyance for the aforesaid Tract of Land called Rushmore to the aforesaid Thomas Ayres and shall have duly Acknowledged the same and the same shall be duly Recorded in the Provincial or Kent County Records That he the said Thomas Ayres shall be by the said Deed and by Virtue of this Act Vested with as

pure and Absolute Estate in the said Tract of Land called Rushmore lying in Kent County aforesaid as if the same Rebecca and the said James Sterling had Conveyed the same to him the said Thomas Ayres by Deed or Deeds of Conveyance (and the same had been Acknowledged and Recorded) in due form of Law to all Intents Constructions and Purposes whatsoever any Law Statute Usage or Custom to the Contrary thereof in any wise Notwithstanding. And be it Enacted by the Authority Advice and Consent aforesaid That it shall and may be Lawfull for the Justices of Kent County Court and they are hereby required to cause the said James Sterling to come before them on or before the first Day of November Court which shall be held for Kent County aforesaid for this present Year one Thousand seven hundred and fifty and then and there in open Court take from the said James Sterling his Bond with sufficient Surety or Sureties such as shall be approved of by the said Court payable unto Rebecca Sterling Daughter of the aforesaid James and Rebecca Sterling her certain Attorney or Assigns when she the said Rebecca shall attain the full age of twenty one Years or on her day of Marriage which shall or may first happen the sum of one hundred and Sixty Seven Pounds Current Money and in Case of the Death of the said Rebecca before she shall attain the full Age of twenty one years or before she shall Marry that the said James Sterling his Surety or Sureties be obliged to pay to Arthur Holt son of the said Rebecca Sterling by her former Husband the Reverend M^{r} Arthur Holt his certain Attorney Heirs or Assigns the aforesaid Sum of one hundred and Sixty Seven Pounds Current Money Saving to his most Sacred Majesty and his Successors to the Right Honourable the Lord Proprietary his Heirs and Successors and to all Bodys Politick and Corporate and all others not mentioned in this Act their several and Respective Rights.

Liber B.L.C.

p. 511

2^{d} June 1750.
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl. lo. ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law.
Sam. Ogle

the great Seal in wax appendant

2^{d} June 1750
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

No. 28

Whereas it appears to this General Assembly, that several of the Inspectors within this Province have, the last Year, thought themselves not restrained from inspecting and passing Tobacco between the last Day of September and the tenth Day of November, but did inspect and pass sundry Hogsheads and Quantities of Tobacco

Liber B.L.C. within the said Time, contrary to the true Intent and Meaning of the said Act:

[No Tobacco to be inspected between the last Day of August and the 10th Day of November.] Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from henceforth it shall not be lawful for any the said Inspectors to inspect or pass any Hogshead or Parcel of Tobacco, at any Time between the last Day of August and the tenth Day of November yearly; unless such Hogshead or Parcel of Tobacco be brought to, and left at the said Inspection-House, on or before the said last Day of August yearly. And that if any Inspector or Inspectors shall presume to inspect or pass any Hogshead or [Penalty in case of Default.] Parcel of Tobacco, between the said last Day of August and the tenth Day of November yearly, he or they so offending shall forfeit and pay twenty Shillings Current Money, for every hundred Pounds of Tobacco so by him or them inspected, to be recovered, if the same does not exceed the Sum of ten Pounds Current Money, before any Magistrate in the County where the Offence shall be committed, as in case of small Debts; and if the Penalty exceed the said Sum of ten Pounds, then to be recovered in the Court of the said County, p. 512 by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed: The one Half of all which Penalties shall be applied to the Use of the Informer, or such Person who shall sue for the same; and the other Half thereof to the several and respective Counties, to defray the Expence that hath or may accrue in the due Execution of the first recited Act.

[What is to be done in case of an Inspector's Sickness.] And forasmuch as it is found to be inconvenient, that on the Sickness of either of the Inspectors at one House, one other Inspector should be called from the next adjacent Warehouse: For Remedy whereof, Be it likewise Enacted, That from henceforth it shall and may be lawful, in case of the Sickness, or other Disability, of one Inspector, that the other may by himself, and he is hereby authorized and impowered to do and execute all the Powers and Authorities, which by the said Act the two Inspectors together might do, as fully to all Intents and Purposes as if they were both [Proviso.] present. Provided, That if any Inspector should not be really sick, but under Pretence thereof absent himself from the Warehouse he ought to attend, and from the doing his Duty there, he shall forfeit and pay, for every Day he so absents himself, the Sum of forty Shillings Current Money, to be recovered before a single Magistrate as in case of small Debts; one half thereof to the Use of the Informer, and the other to the several and respective Counties, to defray the Expence that hath or may accrue in the due Execution [Proviso.] of the first recited Act. And also Provided, That the Inspector so acting alone, shall be answerable for all and every the Hogsheads or Parcels of Tobacco so by him inspected and passed; and that his

Bond shall and may, if Occasion be, be sued for any Breach of the Condition thereof by such Inspector, committed during the Absence of such sick or disabled Inspector. Liber B.L.C.

And be it further Enacted, That if it shall hereafter happen, that both the Inspectors at any House should at the same Time be sick or disabled, and thereby prevented from attending their Duty; that then, and in such Case only, it shall and may be lawful for each of the said Inspectors, and they and each of them are hereby required, to nominate and appoint one other Person, being a sufficient Planter, and well skilled in Tobacco, which two Persons so as aforesaid to be appointed, are to view, inspect, pass, and stamp, or refuse, the Tobacco brought to the said House during the Sickness or Disability of such sick or disabled Inspectors; each of the said two Persons so appointed first taking the Oath of Office (or Affirmation if a Quaker), directed by the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, to be taken by Inspectors: And the said sick or disabled Inspectors, and their Sureties shall still be answerable for the said Tobacco, so by the Persons by them severally appointed, in the same Manner as if they, and each of them, had personally officiated. [What is done in case both Inspectors should be sick.]

And whereas it is by the before recited Act enacted, "That all Public and County Levies, Parochial Charges, and Attorneys Fees, that shall be paid in Tobacco, Clergy's Allowances, and all Officers Fees, payable in Tobacco, shall be paid and satisfied by the Persons chargeable with and indebted for the same, to the respective Sheriffs, by Inspectors Notes before the tenth Day of June yearly, during the Continuance of that Act; and if any Person chargeable with Levies, Parochial Charges, Clergy's Allowances, and Fees as aforesaid, shall neglect or refuse to pay the same within the Time aforesaid, it shall and may be lawful for the Sheriffs, immediately after the said tenth Day of June, to distrain the Goods and Chattels of the Person or Persons so neglecting and refusing; and to sell and dispose thereof at the Expiration of five Days after Distress made for Tobacco, at public Auction; all which shall be done by the said Sheriff without Fee or Reward; and the Overplus, if any be beyond what will satisfy the Demands aforesaid, shall be returned to the Debtor. Provided always, That when any Person, who shall be indebted for Public or County Levies, Clergy's Dues, Parochial Charges, Officers and Attorneys Fees, shall refuse to shew Tobacco to the Sheriff, or any other Goods or Chattels to be distrained; that then and in such Cases it shall and may be lawful for the Sheriff to take such Person in Execution for such Levies, Dues, Charges and Fees: And the Sheriffs shall before the last Day of June, yearly, pay and deliver to each Creditor, according to their respective Debts or Claims, all the Inspectors Notes he hath received in Satisfaction [Part of an Act recited.] p. 513

Liber B. L. C. thereof; and if any Sheriff shall refuse or delay to make Payment accordingly if required, he or they so refusing or delaying shall forfeit and pay to the Party grieved double the Value of the Tobacco so refused and delayed to be paid, to be recovered with Costs, if the Party Creditor only inclines to sue the Sheriff; or otherwise, if he sues his Bond, in this Case the Creditor shall only take his Debt, Interest and Costs out of the Sheriff's Bond that shall be sued." And forasmuch as there is not any Provision made therein, in case it should happen that any the Inhabitants of this Province should endeavour to conceal themselves, or remove their Effects, so that at the Time mentioned therein their Goods or Persons should not be forthcoming, to answer the said Sheriffs for Public or County Levies, Parochial Charges, Officers and Lawyers Fees, or other Claims due from such Person to any Sheriff, on Accounts delivered before the twentieth of February yearly: For Remedy whereof for the future,

[Sheriffs impowered to distrain, on Suspicion that any Person is going Clandestinely to withdraw himself or Effects.] Be it likewise Enacted, That it shall and may be lawful for any the Sheriffs within this Province, and they are hereby directed and required, at any Time between the twentieth Day of February and the tenth Day of June next following, on Notice being to them respectively given, that any or either of the Inhabitants of the respective Counties, who is indebted to them respectively as aforesaid (for which an Account hath been before the said twentieth Day of February delivered to, or left at the Dwelling-House of the said Party), that the said Party is about to withdraw, or hath withdrawn himself or his Effects, from the Place of his or her Residence, whereby the said Sheriff may be hindred from executing the same according to Law; that then and in such Case it shall and may be lawful for the said Sheriff to apply himself to any Magistrate of the County; and on such Sheriff's Application to, and on Oath made by the said Sheriff or some other credible Person before the said Magistrate, that the Sheriff, or such Person, is informed and verily believes that such Debtor is about to withdraw, or hath withdrawn him or herself, or his or her Effects, out of the said County, and thereby prevent the said Sheriff from executing such Debtor, or his or her Effects, for the Tobacco or Money so as aforesaid due to him; which Oath shall be made in Writing, and left with the said Magistrate, and by him returned to the next County Court; and the said Magistrate shall then give the said Sheriff a Warrant from under his Hand and Seal, and thereby direct and impower the said Sheriff to levy the Tobacco or Money, so as aforesaid due to him, in the same Manner as he might do by the recited Act aforesaid, after the said tenth Day of June; all which the said Sheriff shall do by Virtue of his Office, without any Execution Fee.

p. 514

[Proviso.] Provided nevertheless, And it is the true Intent and Meaning of this Act, That if any Debtor as aforesaid absconding, or about to

abscond, will give such Sheriff good and sufficient Security for the Payment of all such Public or County Levies, Parochial Charges, Officers or Lawyers Fees, at any Time before such Distress and Sale made, that then and in such Case, the Sheriff shall, and is hereby obliged to take the same. Liber B.L.C.

And be it likewise Enacted, That the Time for choosing the several Inspectors to serve in that Office, instead of being in the first Week of December, as directed by the before-recited Act, shall for the future be within any Time between the first and the tenth Day of September yearly; any Thing in the said recited Act to the contrary thereof notwithstanding. And which said Inspector or Inspectors to be chosen, and accepting the Office, shall not resign his said Office, or refuse to act therein, until the first Day of December yearly. And that the same Method shall be pursued and taken to acquaint his Excellency the Governor, or Commander in chief, for the Time being, of such Choice, as is in the said recited Act directed. And that where the same Persons are by any of the Vestries again rechose to serve as Inspectors, for the Year next following, they and every of the said Inspectors shall, if they incline to serve, signify their Acceptance thereof, within ten Days next after such Time of their being so rechosen; which Signification shall be made in the same Manner, as Persons appointed by his Excellency the Governor to be Inspectors are, by an Act entituled, An Act for further altering and establishing certain Warehouses, and for other Purposes therein mentioned, directed to signify their Refusal to accept of such Office. [Inspectors to be chosen in September yearly.]

And whereas several Counties within this Province, by Means of the small Quantities of Tobacco inspected the last Year, did not raise Money sufficient to defray the Inspectors Salaries and other necessary annual Charges of the Warehouses therein, and there being at present no Law whereby the said Inspectors, or other Creditors of the said Warehouses, may or can be paid: Be it likewise Enacted, That where any Houses now have Claims unsatisfied, it shall and may be lawful to and for the Justices of such Counties to apply whatever Money may be raised by the inspecting Tobacco, at any Time before the first Day of December next, towards reimbursing such Claims as were due the last Year, and defraying the Expence of the current Year: And if it shall so happen, that at the laying the next County Levy, or other future Levy, there is, are, or shall be any Claim or Claims, arising by the Salary of any Inspector or Inspectors, or other annual Charge from any Inspecting-House or Houses within any County of this Province, it shall and may be lawful for the Justices of such County respectively, at the November Court of such County yearly, to assess and levy the same on the taxable Inhabitants of such County. And if it shall so happen, that in any of the Counties within this Province there should be an Overplus, after Inspectors Salaries and other Charges of the respec- [How the Deficiencies in paying the charge of Inspecting Houses are to be made good.]

Liber B.L.C. tive Warehouses are defrayed, such Overplus shall be yearly applied, by the Justices of the several and respective Counties where such Overplus shall arise, to defray the County Charge.

[Inspectors not to buy Tobacco, &c.] p. 515 And be it further Enacted, That no Inspector or Inspectors whatsoever shall directly or indirectly, either for himself or any other Person, buy or receive, by Way of Barter, Loan, or Exchange, any Tobacco whatsoever, or suffer or permit any Tobacco to be bought by any Person or Persons whatsoever, with any Money arising by the Sale of any Goods, Wares or Merchandizes whatsoever, made by any of the Inspector or Inspectors, either upon their own Accounts or the Accounts of any other Person or Persons whatsoever, under the Penalty of twenty Shillings Currency for every hundred Weight of Tobacco so bought or received; to be recovered before a single Magistrate as in case of small Debts, one half thereof to the Use of the Informer; and the other to the several and respective Counties, to defray the Expence that hath or may accrue in the due Execution of the first recited Act.

[Proviso.] Provided always, That nothing herein contained shall be construed to hinder any Inspector from receiving his Rents in Tobacco, which shall be first viewed, examined, and stamped, according to the Directions of this Act.

[Costs of Suit may be paid in Money, at 12 s. 6 d. per Hundred.] And be it likewise Enacted, That where Plaintiff or Defendant, in any Suit now commenced, or that shall hereafter be commenced in any Court within this Province, in whose Favour any Judgment shall be given, so as to intitle such Plaintiff or Defendant to his or her Cost, and who shall pay the said Cost, or any Part thereof, in the Current Money of this Province, in all such Cases it shall and may be lawful for the Party against whom such Judgment shall be rendered, and he or she is hereby enabled to discharge all, or so much of the said Cost in Current Money, at the Rate of twelve Shillings and six Pence per Centum, as shall be really and bona fide paid by the Party in whose Favour such Judgment for Cost shall be given; any Law to the contrary in any wise notwithstanding.

[All Tobacco made before December 1, 1747, to be under the same Restrictions as Tobacco made since that Time.] And be it likewise Enacted, That all Tobacco made before the first Day of December, Seventeen hundred and forty-seven, and which shall not be carried to some Warehouse at or before the last Day of October next, shall be, and is hereby declared to be under the same Restrictions, and liable in all Respects to the like Inspection, and under the same Penalties and Advantages, to all Intents, Constructions and Purposes whatever, as all Tobacco now is or shall be, which has been or shall be made since the aforesaid first Day of December, Seventeen hundred and forty-seven; any Law heretofore made to the contrary in any wise notwithstanding.

And be it likewise Enacted, That so much of an Act of Assembly entituled, An Act for amending the Staple of Tobacco, for prevent-

ing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, so far as relates to the shipping off, and taking on board any Ship or Vessel for Transportation, any old Tobacco, made at any Time before the first Day of December, Seventeen hundred and forty-seven, be, and is hereby declared to be abrogated, repealed, and made null and void: And also so much of an Act of Assembly entituled, An Act for Relief of Debtors, and ascertaining the Manner of Tenders in Tobacco, and the Supplementary Act thereto, so far as relates to Tenders made in Tobacco, be and are hereby declared, from and after the last Day of October, Seventeen hundred and fifty, to be abrogated, repealed, and made null and void, for and during the Continuance of the said Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

Liber B.L.C. [Part of two Acts, and a Supplementary Act, repealed.]

And be it likewise Enacted, That it shall not be lawful for any Skipper of any Flat, Sloop, or other Vessel, after the End of this Session of Assembly, to take any Inspected Tobacco branded, or other Tobacco fit for shipping off, from any Warehouse within this Province, in order to carry the same on board any Ship or other Vessel for Exportation, before such Skipper shall make Oath before the Inspector or Inspectors of such House or Houses (who are hereby authorized and required to administer the same) "That all such inspected, or other Tobacco, which he shall frome time to time take on board such Flat, Sloop, or other Vessel, he the said Skipper will, with all Opportunity of Wind and Weather, convey, or cause to be conveyed, on board such Ship or Vessel, to which it shall be directed by the Owner or Owners thereof, to be loaden for Exportation; and that he the said Skipper will not take, nor suffer to be taken by any Person whatever, any Tobacco out of such Hogshead or Hogsheads, whilst the same shall remain under his Care and Management." And if any Skipper as aforesaid shall refuse or delay taking the Oath aforesaid, in Manner and Form aforesaid, such Skipper, for every Hogshead of such inspected or other Tobacco taken on board contrary to the Intention of this Act, shall forfeit and pay the Sum of twenty Pounds Current Money; one half thereof to the Informer, or him, her, or them that shall sue for the same; and the other half to be applied to the Use of the several and respective Counties, to defray the Expences that hath or may accrue in the due Execution of the first recited Act; to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

[Every Skipper of a Flat &c. to take an Oath.]

p. 516

And be it likewise Enacted, That it shall and may be lawful for the Justices of the several and respective County Courts within this Province, where they shall see Cause, to levy on the taxable Inhabitants of their County, for the Use of the several Inspectors of their County, a Sum not exceeding three Pounds Current Money to each

[3 l. to be levied for the Inspectors, for extraordinary Services.]

Liber B. L. C.

Inspector, over and above the Salaries settled by Law, for their extraordinary Services in attending their Warehouses the last Year.

[Part of an Act recited, relating to the Fees of Clerks of Offices.]

And whereas, by the first recited Act herein mentioned, it is expressly enacted and declared, "That no Officer or Officers, their Ministers, Servants, or Deputies, by reason or colour of his or their Office or Offices, shall have, receive, or take of any Person or Persons, directly or indirectly, any other or greater Fee or Fees than are therein limited. And that all Under Clerks and Deputies, writing in any of the Offices, or doing any Service in them, should take an Oath in the said Act mentioned." Which Oath is found insufficient to guard against some of the Extortions and Inconveniencies it was designed to prevent and remedy: It is therefore prayed that it may be Enacted; And be it Enacted by the Authority, Advice, and Consent aforesaid, That on or before the tenth Day of July next, all Under Clerks and Deputies, writing in any of the Offices mentioned in the several Tables of Fees in the aforesaid first recited Act, or doing any Services in the said Offices, or any of them, shall by the Time aforesaid, or before they enter into any of the Services in the said Offices, take the following Oath, before some Provincial or County Magistrate (who is hereby authorized and required to administer the same), in Lieu and Stead of the Oath appointed by the said recited Act, viz. You A. B. do swear, that you will not, for Lucre or Malice, delay any Person or Persons applying to you for any Business belonging to the Office you officiate in; and that you will not, directly or indirectly, ask, demand, take, or receive from, or charge to any such Person or Persons, any Fee or Reward whatsoever, for any Service you shall do as Clerk of the said Office: And also, that in making out the Office-Fees, you will not wittingly or willingly charge other or higher Fees, than limited by the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for Limitation of Officers Fees.

[Form of an Oath to be administred to such Clerks.]

p. 517

[Jonas Green to furnish each Inspectors with Notes and Books for a Consideration herein mentioned.]

And whereas by an Act entituled, An Act for altering and establishing certain Warehouses, and for other Purposes therein mentioned, it is amongst other Things Enacted, "That the Inspectors shall be allowed by the several and respective County Courts, a Sum not exceeding four Pounds Current Money, to enable the said Inspectors to find and provide Paper, Books, and Ink, needful and necessary for each Inspection." Be it therefore Enacted, That from and after the first Day of December next, Jonas Green, of the City of Annapolis, Printer, shall be allowed by the several and respective County Courts, at the laying their County Levy, the Sum of fifty Shillings Current Money per Annum, for each Inspection respectively, for printing and delivering a sufficient Number of Books, Notes, and Manifests, for the Inspectors of each Inspection within their Counties respectively, instead of the abovementioned Sum of

four Pounds Current Money, directed by the said Act to be allowed the said Inspectors; any Thing in the said Act contained to the contrary in any wise notwithstanding. Liber B.L.C.

[Tobacco to be seized, if shipped contrary to the Intention of this Act.]

And be it likewise Enacted, That any Justice of the Peace of any County, near the Place where any Ship, Sloop, Boat, or other Vessel shall ride, upon Application to him made, by any Person suspecting any Tobacco in any Hogshead or Hogsheads, which shall be laden on board such Ship, Sloop, Boat, or other Vessel, contrary to the Directions of this Act, or any other Law of this Province; such Justice shall, and is hereby impowered and required to issue his Warrant directed to the Sheriff or any Constable of his County, and the Sheriff or Constable shall have full Power and Authority, and is hereby required to enter and go on board such Ship, Boat, or other Vessel, to search for and seize such Tobacco, and the same being seized shall be brought on shore, and carried before the same, or any other Justice, who shall cause the same to be immediately weighed, and if trashy or bad, immediately burnt; if good, carried to the Inspecting-House there to be inspected, and sold for the Use of the County. And if any Master or Commanding Officer of any Ship or Vessel, or the Skipper of any Sloop, Boat, or other Vessel, or any other Person whatsoever, shall resist the Officer in the Execution of any such Warrant, every such Master or Commanding Officer shall forfeit and pay fifty Pounds; and every such Skipper, Sailor, or other Person so resisting, shall forfeit and pay twenty Pounds; which Forfeitures shall be recovered in any Court of Record of this Province, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed; one half thereof to the Informer, the other half to be applied to the several and respective Counties, to defray the Expence that hath or may accrue in the due Execution of the first recited Act. And if any Action shall be brought against any Justice of the Peace, Sheriff, Under Sheriff, or Constable, or other Officer appointed by this Act for doing any Thing in Execution of this Act, the Defendant may plead the General Issue, and give this Act in Evidence; and if the Plaintiff shall be Nonsuit, or a Judgment pass against him upon a Verdict or Demurrer, the Defendant shall recover double Costs.

p. 518

[Magistrates to grant Certificates for Tobacco, &c.]

And be it likewise Enacted, That where any Person hath made Oath, or Affirmation if a Quaker, before any Magistrate, to any Tobacco made before the first Day of December, Seventeen hundred and forty-seven, in order to ship the same on board any Ship, Sloop, or other Vessel, and hath obtained a Certificate thereof from such Magistrate; and that such Person is dead, or shall die before such Tobacco shall be loaden on board any Vessel for Transportation; in every such Case, the Certificate of such Magistrate, before whom

Liber B.L.C. such Oath or Affirmation is or shall have been made, shall intitle the Owner or Purchaser thereof to the same Advantages every Way, as he might have had if the Party making such Oath or Affirmation was actually alive, and was to make such Oath or Affirmation before any Inspector or Inspectors of any Warehouse; any Thing in this, or any other Act, to the contrary notwithstanding.

[Salary at Town Creek Warehouse reduced.] And be it likewise Enacted, That the Salaries to the Inspectors at Town Creek Warehouse, in St. Mary's County, on the Land belonging to Hugh Hopewell, from and after the tenth Day of November, Seventeen hundred and fifty, shall be, and is hereby declared to be reduced to thirty Pounds per Annum to each Inspector. And that Chester-Town and Worton-Creek Warehouses, in Kent County, from and after the tenth Day of November, Seventeen hundred and fifty, shall be, and are hereby declared to be under distinct and separate Inspections; and that the Salary of each Inspector at Chester-Town, from and after the Time aforesaid, shall be fifty Pounds per Annum; and at Worton Creek, thirty Pounds per Annum; and that the Inspectors at the said Worton Creek Warehouse shall attend at the said Warehouse but three Days in a Week, unless when called upon on particular Occasions, at which Times they shall always be obliged to attend; any Law heretofore made to the contrary notwithstanding.

[The Warehouse at Magotty River suppressed.] And whereas it appears, that the Warehouse directed by the first Inspection-Law to be kept at the Ferry on the North Side of Magotty River, in Anne Arundel County, would be a certain Charge, from the few Makers of Tobacco in that Part: Be it therefore likewise Enacted, That it shall not, nor may be lawful, either for the Proprietor of the Land at the Ferry on the North Side of Magotty River, in Anne Arundel County aforesaid, or the Justices of the said County Court for the Time being, to erect or set any public Warehouse, for the Inspection of Tobacco, at the Ferry on the North Side of Magotty River aforesaid; any Thing in the said first mentioned Inspection-Law, or any other Law contained to the contrary notwithstanding.

[Reduction of Salaries at Hunting-Town and Plumb Point Warehouses.] And be it likewise Enacted, That the Salaries to the Inspectors at Hunting-Town Warehouse, and on Mr. Sutton Isaac's Land at Plumb Point, in Calvert County, from and after the tenth Day of November, Seventeen hundred and fifty, shall be, and is hereby declared to be reduced to fifty Pounds Current Money per Annum to each Inspector: And that each Inspector at Lower-Marlborough Warehouse, in Calvert County, from and after the Time last mentioned, shall have an additional Allowance of five Pounds Current Money per Annum to each Inspector, over and above the Allowance heretofore made by the first abovementioned Inspection-Law; any Law heretofore made to the contrary thereof notwithstanding.

[Salary at Lower Marlborough augmented.]

And be it likewise Enacted, That the Warehouses at Pamunka Creek and Chickamuxon Creek, in Charles County, from and after the tenth Day of November, Seventeen hundred and fifty, shall be, and are hereby declared to be under distinct and separate Inspections; and that the Salary of each Inspector at Pamunka Creek Warehouse, from and after the Time aforesaid, shall be forty Pounds per Annum to each Inspector; and at Chickamuxon, thirty-five Pounds per Annum to each Inspector; any Law heretofore made to the contrary thereof notwithstanding.

Liber B. L. C. [Pamunkey and Chickamuxon Warehouses to be under two separate Inspections.] p. 519

And whereas some Doubts have arisen, whether the Warehouses of Grundy Pemberton at Oxford, in Talbot County, can, by Virtue of the Act entituled, An Act for altering and establishing certain Warehouses, and for other Purposes therein mentioned, be taken or deemed to be Inspection-Houses to all Intents and Purposes, as well as the Houses of Richard Gildart, at Oxford aforesaid. Now, for removing such Doubts, Be it likewise Enacted, That the said Houses of Grundy Pemberton be for the future deemed and taken to be Inspection-Houses, for all Intents and Purposes whatsoever, as well as the said Houses of Richard Gildart; and that one half of the twelve Pence per Hogshead allowed by the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, to the Proprietors or Owners of Warehouses, which shall arise on all Tobaccos which have, since the first Day of December last, or which shall hereafter be inspected at either of the said Houses, shall be paid by the Inspectors of the said Houses to the said Richard Gildart, or other the Proprietor or Proprietors for the Time being of his said House or Houses; and the other Half of the said twelve Pence per Hogshead to the said Grundy Pemberton, or other the Proprietor or Proprietors for the Time being of his said House or Houses. Provided always, that the said Grundy Pemberton, or other the Proprietor or Proprietors for the Time being of his said House or Houses, shall find and provide for the said Houses a good and sufficient Beam, and Set of Weights and Scales, to be approved of and adjusted by the Justices of Talbot County Court; and also keep a Wharff, Crane, Prizes, Poles and Posts, and all other Necessaries required to be found by Proprietors of Warehouses, in good Order.

[The Warehouses of Grundy Pemberton, and Richard Gildart, at Oxford, to be on an equal Footing.]

[Proviso.]

And be it likewise Enacted, That the Warehouse of Philip Emmerson, at his Dwelling Plantation in Talbot County, be from henceforth erected into an Inspecting House; and that the said Philip Emmerson provide a sufficient Wharff, Crane and Prizes, and comply with all Requisites which other Proprietors of Warehouses in like Cases, under any former Law concerning the Inspection of Tobacco, are obliged to comply with; and that the said House be added to, and continue under the same Inspection with the Houses at Thomas Bruff's and Old Field Landing: And that the Inspectors

[An Inspecting House erected on Philip Emmerson's Plantation.]

Liber B.L.C. [Under the same Inspection with those at Bruff's and Old Field Landing.]

appointed and qualified to serve at those Houses for the present Year, and during the Continuance of this Act, shall be obliged to attend and serve likewise at the said House of the said Philip Emmerson; and that in Consideration of their Attendance and Service at the said House, they shall be allowed an additional Salary of ten Pounds Current Money each, over and above what is already allowed to the Inspectors of Bruff's and the Old Field Landing Houses.

[One Third of the 12 d. per Hogshead to be paid to the Proprietor of Wilson's Warehouse at King's Town, the other two to W. Gale's Warehouse.] p. 520

And whereas the House at King's-Town in Talbot County, belonging to William Wilson, was by an Act made in May, Seventeen hundred and forty-eight, directed to be used for storing inspected Tobacco; and accordingly hath been taken, laid out, and appropriated for that Purpose; but as the Proprietor of the said House is in no Sort burthened with the Charge of Prizes, Posts, Wharff, or Crane; Be it Enacted and Declared, That the Owner of the said Wilson's House be paid but one third Part of the twelve Pence per Hogshead, which shall arise due on all the Tobacco delivered out of the said two Houses of William Wilson and William Gale; and that the Proprietor of the latter House be intitled to receive the other two Thirds of the said twelve Pence per Hogshead.

[Pemberton's and Choptank Bridge Houses to be under separate Inspections.]

And whereas it is represented to this present General Assembly, that the Distance between Grundy Pemberton's House at Tuckahoe Bridge, and the House now erected at Choptank Bridge, is at least ten Miles; and that the Difficulty of attending at two Houses so remote from each other, hath hitherto discouraged any Persons who have been chosen Inspectors, and appointed, from accepting of the said Office: Be it therefore Enacted and Declared by the Authority aforesaid, That Pemberton's Houses, and Choptank Bridge House, be separate; and that the Inspectors at Pemberton's be allowed the annual Salary of forty-five Pounds Current Money, and no more, to each Inspector; and the Inspectors at Choptank Bridge House be allowed the Sum of thirty-five Pounds to each Inspector yearly: And that the respective Vestries of the Parishes wherein the Houses aforesaid stand, as soon as may be, after the End of this Session, proceed to the Election of Inspectors for the said Houses, as by former Laws they are directed.

[Additional Allowance to each Inspector in Dorchester County.]

And be it likewise Enacted, That from and after the End of this Session of Assembly, there shall be an additional Allowance of the Sum of five Pounds Current Money, per Annum, to each Inspector, at the several and respective Warehouses in Dorchester County, over and above the Allowance heretofore made them by any former Law of this Province; any Thing in such former Law contained to the contrary notwithstanding.

[Salary at Charles-Town reduced.]

And be it likewise Enacted, That the Salary to the Inspectors at Charles-Town Warehouse, on North-East River in Cæcil County, from and after the End of this Session of Assembly, shall be, and is hereby declared to be reduced to thirty Pounds per Annum to each

Inspector; and that the said Inspectors at the said Charles-Town Warehouse, shall not be obliged to attend there more than three Days in a Week, unless when called on upon particular Occasions, at which Times they shall always be obliged to attend; any Law heretofore made to the contrary notwithstanding. Liber B. L. C.

And be it likewise Enacted, That the Warehouses at Hannah Brown's Landing, at Nottingham, at Piscataway, and Broad-Creek, in Prince George's County, from and after the tenth Day of November next, shall be, and are hereby declared to be under distinct and separate Inspections: And that the Salary of each Inspector, from and after the Time aforesaid, shall be, at the said Hannah Brown's Landing, thirty-five Pounds per Annum; at Nottingham, forty-five Pounds per Annum; at Piscataway, fifty Pounds per Annum; and at Broad-Creek, forty Pounds per Annum: And that the Salaries at the Warehouses at Bladensburgh, Upper-Marlborough, and Queen Anne, in Prince George's County aforesaid, from and after the Time aforesaid, shall be, and are hereby declared to be reduced to fifty-five Pounds per Annum each; any Law or Laws heretofore made to the contrary notwithstanding. [Hannah Brown's, Piscataway, Notingham, and Broad Creek Warehouses to be under separate Inspections.]

And be it likewise Enacted, That the Warehouses at Gilbert Mackey's, and at St. Inegoe's, in St. Mary's County, from and after the tenth Day of November, Seventeen hundred and fifty, shall be, and are hereby declared to be under distinct and separate Inspections; and that the Salary of each Inspector at Mackey's, from and after the Time aforesaid, shall be thirty-five Pounds per Annum; and at St. Inegoe's, thirty-five Pounds per Annum to each Inspector. [Gilbert Mackey's, and St. Inegoes Warehouses under separate Inspections.]

And inasmuch as the Inspectors at the Warehouse at Indian Landing, on Severn River in Anne Arundel County, were, by the first Inspection-Law, to attend one other Inspecting-House, which was by that Law to be erected on Magotty River in the said County; but inasmuch as it is not necessary to erect the said House at Magotty River, and that there has not been the Quantity of Tobacco brought to the said House at Indian Landing as was at first expected, whereby the Trouble and Labour of the Inspectors at that House is, and will be much less: Be it therefore Enacted, That the Salary of the said Inspectors at Indian Landing aforesaid shall, from and after the first Day of December, Seventeen hundred and fifty, be reduced to forty Pounds per Annum to each Inspector. p. 521 [Reduction of the Salary at Indian Landing.]

And be it likewise Enacted, That from and after the End of this Session, the Inspectors at the Warehouse on Charles Jones's Land, at Lower Cedar-Point in Charles County, shall have an additional Allowance of five Pounds Current Money per Annum to each Inspector, over and above the Allowance heretofore made them: And that from and after the first Day of December, Seventeen hundred and fifty, the Salaries to the Inspectors at Benedict-Town, in Charles County, shall be, and is hereby declared to be reduced to forty-five Pounds Current Money per Annum to each Inspector. [Additional Allowance at Lower Cedar-Point.] [Salary at Benedict-Town reduced.]

Liber B. L. C. [Inspectors for Indian Landing to be chosen by the Vestry and Churchwardens of St. Anne's Parish.]

And be it likewise Enacted, That from and after the End of this Session of Assembly, the Vestrymen and Churchwardens of St. Anne's Parish in Anne Arundel County, for the Time being, shall choose, nominate, and recommend four Inspectors for the Inspecting-House at Indian Landing in the said County: And that the Vestrymen and Churchwardens of St. Margaret's Westminster Parish in the said County, for the Time being, shall not choose, nominate, or recommend any Inspector or Inspectors, for the said Inspection at Indian Landing Warehouse aforesaid; any former Act or Acts to the contrary in any wise notwithstanding.

[Continuance of this Act.]

This Act to continue until the first Day of December, which shall be in the Year of our Lord God One thousand seven hundred fifty and three.

2d June 1750. Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara, Cl. lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province. I will this be a Law.
Sam. Ogle

the great Seal in wax appendant

2d June 1750. Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross. Cl. Up. Ho.

I hereby Certify That Richard Burdus Clerk of the Provincial Court and of the Secretarys Office of the Province of Maryland this Day personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary of the Province aforesaid his Council of State and made Oath on the Holy Evangels of Almighty God that he carefully Examined all the Laws contained in this Book beginning at folio four hundred and eighty seven and ending at folio five hundred and twenty one with the Original Acts that passed the Great Seal

Sworn to this 8th Day of August. Anno Dom. 1750
Chas Hammond

SEAL

The Seal of the Provincial Court is hereunto affixed on behalf of Edmund Jenings Esquire. Secretary of Maryland
p R. Burdus, Clk Secrys Off. & Provl Court.

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, May 15–June 8, 1751;
Being the Third Session of the Assembly Elected in 1749.

CHARLES CALVERT, LORD BALTIMORE,
Lord Proprietary.

SAMUEL OGLE,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Wednesday the 15th day of May in the 37th year of his Lordships Dominion Annoq. Domini 1751. U. H. J. Liber No. 34 1751, May 15 p. 367

Present

His Excellency Samuel Ogle Esquire Governor

The Honourable { Benjamin Tasker Esq^r, Edmund Jenings Esq^r, Col Charles Hammond } { Daniel Dulany Esq^r, Richard Lee Esq^r, Benedict Calvert Esq. }

Mess^rs Sprigg and Hooper from the Lower house acquaint his Excellency that there is a Sufficient Number of Members met to make a house and wait his Excellencys Commands.

Edmund Jenings Esq. & Col. Hammond are sent to the Lower house to acquaint the Speaker that his Excellency requires their immediate attendance in the Upper house

The Lower house attend and his Excellency is Pleased to make the following Speech

Gentlemen of the Upper and Lower houses of Assembly

Some things happened since Our last meeting wherein I should have been glad to have had your Opinion & advice but was loth to put the Country to the Expence of an Assembly, and to give you the Trouble [of leaving] your homes at a Season of the year, which I thought might have been inconvenient for you.

Besides the Several Papers from the Governors of New York and Pensilvania relating to the Indians which I now lay before you I could not but be under a good deal of concern on account of the Shortness of Our Crop of Corn the last fall; and if We had not been favored by Providence with a mild Winter, many People especially the Poorer Sort might have wanted, not only Provisions for their Cattle but Bread for themselves; which will naturally lead you to consider whether it may not be for the Publick Service to leave a discretionary Power with the Government, or to Prohibit the Exportation of Corn whenever it shall arise to a certain Price

As the happiness of any Country must be always greatly promoted by the goodness of its highways I cannot help recommending this Matter particularly to your Consideration

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While other Nations are improving their Commerce, by opening Canals and Shortning and mending their Roads We are lengthning Ours in many Parts of the Province by Windings and Turnings, and obstructing their Passage with Gates & other Incumbrances; which deserves our attention the more, as this is certainly the Proper time to lay them Strait and open, before We begin to bound our Fields with Ditches, and other Fixed fences which good Husbandry, if not necessity may probably bring us to in a Short time

Nothing could give me more Pleasure than to See a General Spirit of Improvement Spread it Self throughout the Province which is our duty to promote as much as we can in our Legislative Capacity; and I flatter myself that the visible Advantages We have reaped from our Inspection Law will not only incite our Endeavours to bring it to the utmost Perfection but be an Encouragement to us to enter into the consideration of such other Laws as may Tend to Advance the Trade and Prosperity of the Province in every respect.

In whatever You undertake for the Public good, You may be assured of my hearty Concurrence and best Assistance; and I cannot but hope, that you will on your Parts, give such Reasonable Support to the Government as may be Necessary for your own Safety and Security.

I desire no Increase of Power, but to enable me to promote your happiness the more effectually; my greatest ambition being to make the Province flourish and Prosper under my Administration

Mess[rs] Hooper [Hopper] and Davis from the Lower house attend with M[r] John Tillotson a Member returned for Queen Anns County to See him Qualified, who takes the Several Oaths to the Government Required by Law, repeats and Subscribes the Abjuration and Test and then withdraws.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

May 16

Thursday Morning the 16[th] May 1751.

This house met again according to Adjournment

Present as Yesterday.

p. 369

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J. Liber No. 34 May 16

This house met again according to Adjournment

Present as in the Morning with the

Addition of Coł George Plater

Benjamin Tasker Esq[r] attended by the Members of this house presents to his Excellency their address which follows in these words

To his Excellency Samuel Ogle Esq. Governor and Commander in Chief in and over the Province of Maryland

The Humble Address of the Upper house of Assembly

May it Please your Excellency

We return your Excellency our most Sincere thanks for your kind and obliging Speech at the opening of this Session; and We gratefully acknowledge your unwillingness to put the Country to the Expence of an Assembly and to call Us from home at an Inconvenient Season of the year

The Shortness of the last Crop of Corn afforded a very Melancholy prospect, and nothing but the mild weather with which Providence favoured us, could have prevented so great a Scarcity in Several parts of the Country, as would have been attended with Terrible consequences, especially to the Poorer Sort; The want of Bread is one of the greatest Calamities that men are Subject, and therefore the most effectual care ought to be taken to prevent it, and as an Assembly must not only be very Expensive but must also unavoidably take up so much Time in getting together and in framing and Publishing any Law to Prohibit the Exportation of grain upon the most Pressing Occasion, that very Probably the Remedy would be to late as the length of time would give opportunities to export greater Quantities than could be Spared. As to our Part we shall concur in any Expedient that may Save Charge to the Country and avert the Calamity of wanting Bread.

We are convinced that the Happiness of any Country must be greatly promoted by the goodness of its high ways, that the having such is absolutely Necessary as well as reputable to all Countrys especially those of any Extent wherein People cannot Subsist nor any Inland Trade be carried on without Land Carriage and therefore We assure you that nothing in our Power shall be wanting to promote a thing of so great Importance and so Manifestly Conducive to the Prosperity of our Country, as what you so kindly & affectionately recommend it

We are firmly persuaded of the Truth an Sincerity of your Proffession that nothing could give you more Pleasure than to See a General Spirit of Industry Spread itself thrô out the Province; and p. 370
We and all mankind, must be convinced that were we to neglect either

U. H. J. Liber No. 34 May 16

in our Legislative or Private Capacities, anything in our Power to promote such a Spirit it would be a most criminal breach of Our Duty, and a Stuped Blindness to our own Interest and that of Our Posterity

We have already derived great advantages from our Inspection Law notwithstanding the dishonest artifices that have been used to defeat some of the good ends proposed by it by rendering it less Beneficial to the Country than it might be; But as these artifices are now pretty well known, We flatter ourselves, that with the Assistance and Concurrence of the other Branches of the Legislature, we shall be able to put such an effectual Stop to them as well as deter those who have been hitherto concerned from offending in the like manner for the future and that when and as often as new Arts of Fraud shall be Invented, new Laws will also be framed to Check & Punish such offenders as act in opposition to the Interest of their Country; and the more effectually our Staple is guarded against Frauds the better shall we be able to enter into the Consideration of and to Carry into Execution such other Laws as may tend to advance the Trade and prosperity of the Province.

We return You our unfeigned thanks for the Assurance you have given Us of your hearty Concurrence and best assistance, in what shall be undertaken for the Publick Good, and we think ourselves under all the ties of honour Justice and Gratitude to Contribute everything to make your Administration as Easy and agreeable to yourself as we are sure it should be Advantagious to the Country

B: Tasker Presid.

Adjourned till to Morrow Morning ten of the Clock

May 17

Friday Morning the 17th May 1751.

This house met again according to Adjournment

Present as Yesterday

The Governor is pleased to communicate his Answer to the Address of this house which answer is as follows.

Gentlemen of the Upper house of Assembly

I return you my hearty thanks for your kind Address, and the favourable opinion you are Pleased to express of my Administration, and shall always endeavour by my Actions to Merit the Continuance of your Esteem

Sam: Ogle

A Message from the Lower house by Messrs Barnes & Baxter

p. 371

By the Lower house of Assembly 17 May 1751

May it Please your Honours

This House hath appointed Col Colvill Major Barnes Col John Henry Capt Bond and Mr Baxter a Committee from this house to

Inspect the Accounts and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly and desire your honours to appoint one or more of the Members of your house to Joyne in the said Committee U. H. J. Liber No. 34 May 17

Signed p Order M Macnemara Cl Lo H.

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning the 18th May 1751. May 18

This house met again according to Adjournment

Present as Yesterday

The following Message is sent by Benedict Calvert Esq.

By the Upper house of Assembly 10th May 1751.

Gentlemen

This house hath appointed Richard Lee Esq. to Joyne the Members named by your house in a Committee to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office

Signed p Order John Ross Cl Up H.

Adjourned till Monday Morning ten of the Clock.

Monday Morning the 20th May 1751 May 20

This house met again according to Adjournment

Present

The Honourable { Benjamin Tasker Esq., Col George Plater, Edmund Jenings Esq., Col Charles Hammond } { Daniel Dulany Esq., Richard Lee Esq., Benedict Calvert Esq. }

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Several following Petitions Viz. The Petition of the Vestry and Principal Freeholders of Durham Parish in Charles County Praying leave to bring in a Bill to enable the Vestry to Sell

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two Tracts of Land called Randalls Addition & Hook Norton [which] belong to the said Parish, and to purchase other Lands with the Money arising by such Sale for the same Use; The Petition of James Hutchins of Queen Anns County, Praying leave to bring in a Bill to have a Publick Road Laid Out in a Strait line from Cocks bridge to his dwelling house in the said County; The Petition of some of the Inhabitants of Bladensburgh in Prince Georges County praying leave to bring in a Bill to prevent Swine running at large in the said Town; and the Petition of Joseph Cheney and Ann his Wife, of Prince Georges County Praying a Reward may be given for the Discovery of Medicines to cure the Flux, Referred to the Consideration of the Lower house of Assembly and sent by Richard Lee Esq.

Read the Petition of Sophia Mudd Jeremiah Mudd, William Mudd and Cassandra Wood of Charles County praying leave to bring in a Bill to establish the Will of Thomas Boarman Mudd late of Charles County deceased, which will it is alledged a Certain George Tarvin deceased Stole from off the Table of the said Thomas Boarman Mudd before the Execution thereof, Rejected it being the opinion of this house the Petitioners have their Remedy in a Court of Equity

Adjourned till to Morrow Morning ten of the Clock

May 21

Tuesday Morning the 21st May 1751.

This house met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Petition of George Gordon, and Several of the Inhabitants of Frederick County praying a Sum of Money may be allowed for building a Prison in the said County, Referred to the Consideration of the Lower house of Assembly and Sent by Daniel Dulany Esq.

Read the Petition of Several Inhabitants of Frederick County praying that a Town may be erected at Rock Creek in the said County rejected Notice not appearing to have been given to the Proprietor of the Land of this application

Read the Petition of Sundry Freeholders of Frederick County praying a Bill may be brought in for a division of the said County and ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning the 22 May 1751 U. H. J. Liber No. 34 May 22

This house met again according to Adjournment

Present as Yesterday

Read the Petition of the Vestrymen Churchwardens & Principal Inhabitants of Port Tobacco Parish in Charles County Praying that 140000 pounds of Tobacco may be levyed on the Taxable Inhabitants of the said Parish in three years for building a Church therein, Referred to the Consideration of the Lower house of Assembly and sent by Coł Hammond p. 373

Adjourned till 3 of the Clock in the afternoon.

Eodem Die post Meridiem

This house met again according to Adjournment.

Present as in the Morning

A Bill from the Lower house by Mess[rs] Sprigg and Barnes Entituled an Act to prevent more effectually the Sale and Exportation of Trashy & unmerchantable Tobacco and for other purposes therein mentioned thus Endorsed.

By the Lower house of Assembly 20[th] May 1751

Read the first time and Ordered to lye on the Table

Signed ꝑ Order M Macnemara Cł Lo H.

By the Lower house of Assembly 22 May 1751.

Read the Second Time and will pass

Signed ꝑ Order M Macnemara Cł Lo H.

Read the first Time in this house and ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning the 23 May 1751 May 23

This house met again according to Adjournment

Present as Yesterday

Three Bills from the Lower house by Mess[rs] Stoddart and Traverse Viz. A Bill Entituled an Act for issuing Writts of Replevin out of the County Courts; a Bill Entituled a Supplementary and Explanatory Act to the Act Entituled an Act for the Ease of the Inhabitants in Examining Evidences relating to the Bounds of Lands and in the manner of obtaining Injunctions; & A Bill Entituled an Act to Prohibit the raising of Swine in the Town of Bladensburgh in Prince Georges County; Severally thus Endorsed

U. H. J. Liber No. 34 May 23

By the Lower house of Assembly 22d May 1751
Read the first Time and ordered to lye on the Table
Signed p Order M Macnemara Cl Lo H.
By the Lower house of Assembly 23d May 1751.
Read the second time and will pass
Signed p Order M Macnemara Cl Lo H.

Read the first Time in this house and Ordered to lye on the Table

Read the Second time the Bill Entituled an Act to prevent more effectually the Sale and Exportation of Trashy & unmerchantable Tobacco and will pass with the following Amendments, In Page 1st Line 9th after the Word, happen, put, or the Party resides, in the
p. 374 10th line Between the word, Plaint, and, Information, insert, or, and in the same Line leave out the words, or Indictment, in the 3d Line of 2d Page between the words, happen, and, by, insert, or the Party resides, from the word, That, in the 5th Line of the same Page, to the word, is, in the 9th Line to be omitted and insert the following words; As often as any Magistrate shall be Informed by any Creditable Person on Oath or Affirmation if a Quaker, that he Suspects and verily believes Some Trashy Tobacco to be in any Particular Tobacco house, Store house Barn or other outhouse Ship or other Vessel, Inclosure or other Place whatsoever designed or Intended to be Carried or Exported out of the Province without Inspection It shall and may be Lawful to and for such Magistrate, and he, after the word, into, in the 13th Line of the same Page insert, It, And the following Amendment in a Parenthous /except such house or Place be on the Plantation whereon such Trashy or Unmerchantable Tobacco shall appear by the Oath or Affirmation if a Quaker of the Owner to have been made, and also Except Inspection houses and other houses used by Inspectors for the convenient Carrying on and Execution of the Inspection Law/ after the word, Care, in the 18th Line of the same Page to the word Sold, in the 19th Line to be left out and the following words to be inserted, the same Quantity so Informed against, in Page 5th Line 3d leave out the words, Then There, insert, and, in the 6th Line of the same Page instead of the words, Bill of Indictment, insert, Presentment, between the 17th & 18th Lines of the same Page omitt the whole Interlination, in the 6 Page line 2d after the word, not, to the word, be, to be left out and insert the word, intended, in the 5th Line of the same Page after the word, Penalties, insert, other than the loss and burning of such Trashy Tobacco, instead of the words, by this Act on such Tobacco so taken under Carriage as afd, The three Provisoes in 7th Page to be left out, The 8th & 9th Pages to be left out, and the 10th Page to be left out to the word, This, in the 24th Line; Sent to the Lower house by Edmund Jenings Esq.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J. Liber No. 34 May 23

This house met again according to Adjournment

Present as in the Morning

Read the Petition of the Vestrymen Churchwardens & other Inhabitants of that part of the late Reverend M^r^ Donaldsons Parish which lies in Charles County Praying 55000 pounds of Tobacco may be levyed at three Equal Assessments on the Protestant Inhabitants of that Part of the said Parish as it now Stands, and also to make p. 375 the said Part a compleat Parish; Read the Petition of the Inhabitants of the North side of Elk River in Cecil County Praying that the Court house and Prison of the said County may be rebuilt at Charles Town in the said County; Referred to the Consideration of the Lower house of Assembly and sent by Col Plater

Read the Petition of Joseph Milbourn Simmes William Theobalds and Richard Gambra and the Executors of Thomas Mudd deceased as Sureties for George Tarvin late Sheriff of Charles County Praying Relief Rejected

Adjourned till to Morrow Morning ten of the Clock

Friday Morning the 24 May 1751. May 24

This house met again according to Adjournment.

Present as yesterday

Read the Petition of Thomas Cotterall of Frederick County Gentleman Praying leave to bring in a Bill to repeal an Act of Assembly made in favour of Richard Bennett Esq. as far as Relates to one Moiety of Turkey Point and the Negroes and Stock belonging to the Estate of Thomas Robinson, & Ordered to lye on the Table.

Read the Petition of Nicholas Ridgley & Greenberry Ridgley Praying leave to bring in a Bill to vest them with an Estate in fee simple in two third Parts of a Tract of Land called Larkins Forrest and two third parts of Ridgleys Addition of which they were Seized as Tenants in Tail. Rejected

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J. Liber No. 34 May 25

Saturday Morning 25 May 1751

This house met again according to Adjournment

Present as Yesterday except
Col Charles Hammond

Adjourned till Monday Morning ten of the Clock

May 27

Monday Morning the 27th May 1751

This house met again according to Adjournment

Present

The Honourable { Benjamin Tasker Esq. / Col George Plater / Col Charles Hammond } Richard Lee Esq. / Benedict Calvert Esq.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the
Addition of Edmund Jenings Esq.

p. 376 A Bill from the Lower house by Mr Wootton & three others Entituled an Act to prevent the Sale of Trashy Tobacco, thus Endorsed
By the Lower house of Assembly 27 May 1751.
Read the first and second time by an Especial Order & will pass
Signed p Order M Macnemara Cl Lo H.

Read the first Time in this house and Ordered to lye on the Table
Adjourned till to Morrow Morning ten of the Clock

May 28

Tuesday Morning the 28 May 1751.

This house met again according to Adjournment.

Present as Yesterday with the
Addition of Daniel Dulany Esq.

Read the second Time the Bill Entituled An Act to prevent the Sale of Trashy Tobacco, and will pass, & sent to the lower house by Benedict Calvert Esquire

Two Bills from the Lower house by Messrs Smalwood & Baker one Entituled An Act to enable the Justices of Charles County to Levy a Sum of Tobacco on the Taxable Inhabitants of Port Tobacco Parish in the said County for the Purposes therein mentioned;

& One Entituled an Act to enable the Vestrymen and Churchwardens of Durham Parish in Charles County for the time being to Sell two Tracts of Land therein mentioned and to apply the Produce Money or Tobacco arising by such Sale towards the Purchase of another Piece of Land to be made a Glebe for the Use of the Incumbent of that Parish Severally thus Endorsed U. H. J. Liber No. 34 May 28

By the Lower house of Assembly 25 May 1751.

Read the first time and ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 20 May 1751.

Read the second Time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and Ordered to lye on the Table

Read the Petition of Sundry Inhabitants of Somerset & Worcester Counties which lye in Coventry Parish Praying a bill may be brought in to enable the Vestrymen and Churchwardens of the said Parish to purchase two acres of Land to build a Chappel of Ease on in the said Parish; The Petition of the Inhabitants of the City of Annapolis Praying leave to bring in a Bill for the Sale of the Market house and Ground whereon it Stands and to purchase with the Money arising by such Sale an other Piece of Ground in the said City & to build a Market house thereon; The Petition of Sundry Inhabitants of Talbot County Praying that the Inspection house at Bruff's may be made a Single Inspection and Emersons & Oldfield Landing houses erected into a Single Inspection, Referred to the Consideration of the Lower house of Assembly, & Sent by Richard Lee Esq[r] p. 377

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment.

Present as in the Morning

Nine Bills from the Lower house by Mess[rs] Heighe and Waggaman, one Entituled an Act continuing an Act Entituled an Act for Punishment of Horse Stealers and other offenders; An Act continuing an Act Entituled an Act for the more effectual punishment of certain offenders & for taking from them the Benefit of Clergy; An Act continuing an Act entituled A Supplementary Act to an Act entituled an Act laying an Imposition on Negroes and Several Sorts of Liquors Imported and also on Irish Servants to prevent the Importing of too great a Number of Irish Papists into this Province; an Act continuing an Act entituled an Act to exempt Persons Appearing at Musters from Arrests in Civil Cases; an Act continuing an Act entituled an Act to enable the Several and Respective

U. H. J. Liber No. 34 May 28

County Clerks within this Province to remove some of the County Records and Papers from the publick Offices; an Act continuing an Act entituled an Additional Supplementary Act to the Act entituled an Act relating to Servants and Slaves; an Act continuing an Act entitled an Additional Explanatory Act to the Act entituled an Act empowering the Commissioners of the County Courts to levy and Raise Tobacco to defray the Necessary Charges of their Counties and Parishes; an Act continuing an Act entituled an Act to prevent certain Evils and Inconveniences attending the Sale of Strong Liquors and Running of Horse Races near the yearly meetings of the People called Quakers and to prevent the Tumultuous Concourse of Negroes and other Slaves during the said Meetings; an Act to oblige Attornies to prove their Lists of fees before they Obtain Executions for the same; Severally thus Endorsed

By the Lower house of Assembly 17 May 1751.

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 28th May 1751.

Read the Second Time and will pass

Signed p Order M Macnemara Cl Lo H

Read the first Time in this house and Ordered to lye on the Table

An Engrossed Bill from the Lower house by Messrs Barnes and Stoddart Entituled an Act to prevent the Sale of Trashy Tobacco thus Subscribed

28 May 1751

Read and Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo H.

Read and Assented to by this house and Ordered to be so Subscribed

p. 378 The Paper Bill so Endorsed is Sent to the Lower house by Richard Lee Esqr

Edmund Jenings Esqr is Sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower house in the Upper house to See the Bill Entituled an Act to prevent the Sale of Trashy Tobacco which has passed both houses this Session receive the Assent

The Lower house attend and by their Speaker present to his Excellency the foregoing Bill which his Excellency is Pleased to pass into a Law in the usual Manner by Sealing with the Right honourable the Lord Proprietary of this Province his Great Seal at Arms and Subscribing on behalf of the Right honourable the Lord Proprietary of this Province I WILL THIS BE A LAW.

Adjourned till to Morrow Morning Ten of the Clock

Wednesday Morning the 29th May 1751. U. H. J. Liber No. 34 May 29

This house met again according to Adjournment

Present as Yesterday

Read the second Time the Bills following Viz. An Act continuing An Act Entituled an Act to prevent certain Evils & Inconveniences Attending the Sale of Strong Liquors and Running of Horse Races near the yearly Meetings of the People called Quakers and to prevent the Tumultuous Concourse of Negroes and other Slaves during the said Meetings; An Act continuing an Act entituled an Additional and explanatory Act to the Act entituled An Act impowering the Commissioners of the County Courts to levy and raise Tobacco to defray the Necessary Charges of their Counties & Parishes; An Act continuing an Act entituled an additional Supplementary Act to the Act entituled an Act relating to Servants & Slaves; an Act continuing an Act entituled an Act to enable the Several and Respective County Clerks within this Province to remove Some of the County Records and Papers from the Publick Offices; an Act continuing an Act Entituled an Act to exempt Persons appearing at Musters from arrests in Civil Cases; An Act continuing an Act Entituled a Supplementary Act to an Act entituled an Act laying an Imposition on Negroes and Several Sorts of Liquors Imported and also on Irish Servants to prevent the Importing too great a Number of Papists into this Province; An Act entituled An Act Continuing an Act Entituled an Act for the more effectual Punishment of Certain Offenders and for taking from them the Benefit of Clergy; An Act entituled an Act Continuing an Act Entituled an Act for Punishment of Horse Stealers and other offenders; An Act to enable p. 379 the Vestrymen & Churchwardens of Durham parish in Charles County for the Time being to Sell two Tracts of Land therein mentioned and to apply the Produce Money or Tobacco arising by such Sale towards the Purchase of another Piece of Land to be made a Glebe for the use of the Incumbent of that Parish and his Successors; An Act entituled an Act to enable the Justices of Charles County to Levy a Sum of Tobacco on the Taxable Inhabitants of Port Tobacco Parish in the said County for the purposes therein mentioned & will pass, Sent to the Lower house by Daniel Dulany Esq.

Read the Second Time the Bill Entituled an Act for issuing Writts of Replevin out of the County Courts of this Province; and the Bill entituled An Act to oblige Attornies to prove their Lists of fees before they Obtain Executions and will not Pass, sent to the Lower house by Edmund Jenings Esq

Adjourned till 3 of the Clock in the afternoon

U. H. J.
Liber No. 34
May 29

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Two Bills from the Lower house by Mess[rs] Sullyvane & Traverse One Entituled an Act Reviving an Act for the Speedy Recovery of Small Debts out of Court before a Single Justice of the Peace; & an Act to make the Testimony of Convicted Persons legal against Convicted Persons both thus Endorsed

By the Lower house of Assembly 28 May 1751

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 29 May 1751.

Read the Second Time and will pass

Signed p Order M Macnemara Cl Lo H

Read the first Time in this house and Ordered to lye on the Table

Read the second time the Bill Entituled An Act to Prohibit the raising of Swine in the Town of Bladensburgh in Prince Georges County and will pass with the following Amendment Instead of the word, Informer, put, the Lord Proprietary for the Support of Government, And the Bill entituled a Supplementary and Explanatory Act Entituled an Act for the ease of the Inhabitants in Examining Evidences in Relation to the bounds of Land and will pass with the following Amendment in Page 1[st], from the word Notwithstanding, in the 15[th] Line to the word, And, in the 21[st] Line to be omitted the words, hath heretofore or, in the same Line to be omitted, Sent to the Lower house by Col Plater

Adjourned till to Morrow Morning ten of the Clock

May 30

Tuesday Morning 30[th] May 1751

This house met again according to adjournment

Present as Yesterday

p. 380 Read the second time the Bill entituled an act to make the Testimony of Convicted Persons legal against Convicted Persons and will pass Sent to the Lower house by Col Hammond

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning
with the Addition of Samuel Chamberlaine Esq.

Richard Lee Esq. from the Comittee appointed to Inspect the Accounts and proceedings of the Commissioners of the Paper Currency Office brings in the following Report Viz. U. H. J. Liber No. 34 May 30

Maryland ss.

At a Committee of both houses of Assembly appointed to Inspect the office and Proceedings of the Commissioners for emitting the Bills of Credit Established by Act of Assembly of the Province af^{d} May 18th 1751.

Were Present

The Honourable Richard Lee Esq. of the Upper house

Col Thomas Colvill
Major Abraham Barnes
Cap Zachariah Bond
Col John Henry
M^{r} James Baxter
} of the Lower house

Who make Choice of Richard Lee Esq. Chairman; and Rich^{d} Dorsey Clerk, and agree to make the following Report,

Your Committee having Inspected the Lists of Ordinary Licenses, Returned by Several Clerks in pursuance of the Order of the last Session, do find some of them Imperfect by Placing them to Sheriffs that had not the Collection thereof, and Considerable Alterations between the Lists returned in Pursuance of the Order af^{d} and those formerly Returned, which your Committee Apprehend was occasioned by the said Clerks not being enjoyned by the said Order to Return the fines arising on breaches of Law by which means it is not Practicable for your Committee at this Time to Render the Sheriffs Accounts perfect as they ought to be with Relation to the Money by them received for Ordinary Licenses & Fines.

Therefore Your Committee think it expedient that the Several and Respective Clerks be required to make out fair and exact accounts of all the Ordinary Licenses Granted by the Respective Courts, beginning at the Year 1740 mentioning the Several Courts when Granted, the Sums of Money paid and who were Sheriffs at the Time of Granting the said Licenses together with an Account of the Fines and forfeitures

All which is Submitted to the Consideration of both houses of Assembly this 30th day of May 1751.

Richard Lee	Zach^{a} Bond
Tho. Colvill	John Henry
A Barnes	James Baxter

Adjourned till to Morrow Morning ten of the Clock p. 381

U. H. J.
Liber No. 34
May 31

Friday Morning the 31st May 1751.

This house met again according to Adjournment.

Present as Yesterday with the Addition of Philip Thomas Esq.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment.

Present as in the Morning with the Addition of Coł Edw. Lloyd.

Four Bills from the Lower house by Messrs Henry & Addison Viz. An Act to establish the Special Court Records of Ann Arundel County; An Act for Tryal of all Matters of fact in the Several Counties where they have arisen or shall arise; A Supplementary Act to the Act Entituled an Act for Quieting Possessions and enrolling Conveyances & Securing the Estates of Purchasers, an Act for the more effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain Offenders; And a Supplementary Act to the Act Entituled An Act to prevent the tumultuous Meeting & other Irregularities of Negroes and other Slaves and Directing the manner of Trying Slaves; Severally thus Endorsed

By the Lower house of Assembly 30 May 1751.

Read the first Time and Ordered to lye on the Table

Signed ꝑ Order M Macnemara Cł Lo H.

By the Lower house of Assembly 31 May 1751.

Read the Second Time and will pass.

Signed ꝑ Order M Macnemara Cł Lo H

Read the first time in this house and Ordered to lye on the Table

Four Bills from the Lower house by Messrs Henry and Sullyvan Viz. An Act to direct and Prescribe the form of an Oath to be taken by the Several officers of this Province before they take upon themselves to act in any office; An Act to enable the Justices of Charles County to assess and levy on the Taxable Inhabitants of that part of the late Reverend Mr Donaldson's Parish which lies in the said County the Sum of 55000 Pounds of Tobacco and for other Purposes therein mentioned; An Act continuing An Act Entituled An Act to Prevent cutting up Tobacco Plants destroying of Tobacco and Tobacco houses and for ascertaining the Punishment of Criminals Guilty of the said Offences; An Act entituled An Act to Aid the Title of Purchasers of Lotts in Princess Ann Town in Somerset County; Severally thus Endorsed

By the Lower house of Assembly 29 May 1751.

Read the first Time and Ordered to lye on the Table

Signed ꝑ Order M Macnemara Cł Lo H

By the Lower house of Assembly 31 May 1751. U. H. J. Liber No. 34 May 31 p. 382
Read the second time and will pass
Signed p Order M Macnemara Cł Lo H

Read the first Time in this house and ordered to Lye on the Table
Adjourned till to Morrow Morning ten of the Clock

Saturday Morning the 1st June 1751 June 1

This house met again according to Adjournment

Present as Yesterday except Edmund Jenings Esqr
Coł Hammond Philip Thomas & Benedict Calvert Esqrs
Adjourned till Monday Morning ten of the Clock

Monday Morning the 3 June 1751. June 3

This house met again according to Adjournment

Present

The Honourable { Benjamin Tasker Esq., Coł George Plater, Edmund Jenings Esq., Coł Charles Hammond } { Samuel Chamberlaine Esqr, Daniel Dulany Esqr, Coł Edward Lloyd, Richard Lee Esq., Benedict Calvert Esqr }

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Messrs Mackall & Heighe attend from the Lower house with Mr Thomas Reynolds a Member elected for Calvert County in the Room of Benson Bond deceased, to See him Qualified who takes the Several Oaths to the Government required by Law Repeats and Subscribes the Abjuration and Test and then withdraws.

Two Bills from the Lower house by Messrs Hooper & Wilmer Viz. An Explanatory Act to the Act entituled an Act to Repeal a Certain Act of Assembly entituled an Act to prevent the Growth of Popery; An Act to annex certain extraprochial Lands lying between Nassaongo Creek and Accongo Branch in Worcester County to the Parish of Alhallows; thus Endorsed

By the Lower house of Assembly 29th May 1751
Read the first Time and Ordered to lye on the Table
Signed p Order M Macnemara Cł Lo H.

U. H. J. Liber No. 34 June 3

By the Lower house of Assembly 1 June 1751.
Read the second time and will pass.
Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and Ordered to lye on the Table
Adjourned till to Morrow Morning ten of the Clock

June 4 p. 383

Tuesday Morning the 4 June 1751.

This house met again according to Adjournment.

Present as Yesterday

Messrs Smith and Lecompte from the Lower house attend with Mr Thomas Franklin a Member returned for Baltimore County to See him Qualified who takes the Several Oaths to the Government required by Law repeats and Subscribes the Abjouration and Test and then withdraws

A Bill from the Lower house by Messrs Crabb & Chaplin Entituled an Act for destroying Wolves in Frederick County; thus Endorsed

By the Lower house of Assembly 31 May 1751.
Read the first Time and ordered to lye on the Table
Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 4 June 1751
Read the second time and will pass
Signed p Order M Macnemara Cl Lo H.

Read the first Time in this house and Ordered to lye on the Table
Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bills following Viz. An Act to annex Certain extraprarochial Lands lying between Nassaongo Creek & Accongo Branch in Worcester County to the parish of Alhallows; An Act continuing an Act Entituled an Act to prevent cutting up of Tobacco Plants destroying of Tobacco & Tobacco houses and for ascertaining the Punishment of Criminals guilty of the said Offences; An Act to enable the Justices of Charles County to assess and levy on the Taxable Inhabitants of that part of the late Revd Mr Donaldsons Parish which lies in the said County 55000 pounds of Tobacco and for other Purposes therein mentioned, and will pass; An Act to establish the Special Court Records of Ann Arundel County and will

Pass with the following amendments in the 4th Line of 2d Page after the word Judgment, put, Deeds, in 6th Line of the same Page after the word, aforesaid, insert, or the Notice directed by the said Recited Act had been given; A Supplementary Act to the Act entituled An Act for Quieting Possessions enrolling Conveyances and Securing the Estates of Purchasers and will pass with the following Amendments, in Page 1st Line 9th the words, indented of Bargain and Sale only to be omitted and in the Place thereof incert these words any Deed whatsoever, in 13th Line of the same Page the words, of Bargain and Sale, indented, to be omitted and in the Place thereof put, and be examined, in 15th Line after the word, Dominions, incert, Whether She doth make her Acknowledgement of the same willingly and freelly and without being Induced thereto by fear or threats of or ill usage by her husband or fear of his Displeasure, Page 2d Line 5th the words Bargain an Sale, to be omitted, and the word, Deed, to be incerted; and sent to the Lower house by Benedict Calvert Esq. U. H. J. Liber No. 34 June 4 p. 384

Read the second time the Bill Entituled An Act to Aid the Title of Purchasers of Lotts in Princess Ann Town in Somerset County and will pass, Sent to the Lower house by Richard Lee Esqr

Adjourned till to Morrow Morning Ten of the Clock

Wednesday Morning the 5 June 1751. June 5

This house met according to Adjournment

Present as Yesterday

Messrs Franklyn and Smith from the Lower house attend with Mr John Matthews a Member elected for Baltimore County to See him Qualified who takes the Several Oaths to the Government required by Law Repeats and Subscribes the Abjuration and Test and then withdraws.

Two Bills from the Lower house by Messrs Lee & Heigh Viz An Act to Repeal part of an act Entituled an Act causing Grand & Petit Jurors and Witness to Come to the Provincial and County Courts and ascertaining their allowances; An Act for Regulating the Interest upon Tobacco & Money; thus Endorsed.

By the Lower house of Assembly 3d June 1751

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 4 June 1751

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H

U. H. J. Liber No. 34 June 5

Read the first time in this house and ordered to lye on the Table

Read the second time the Bill Entituled an Act for destroying Wolves in Frederick County & will pass; sent to the Lower house by Col Loyd

Adjourned till 3 of the Clock in the Afternoon.

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second Time the Bill Entituled an Act for the more effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain offenders and will Pass & sent to the Lower house by Daniel Dulany Esq^{r}

Read the second time the Bill entituled an Act to direct & prescribe the form of an Oath to be taken by the several Officers of this Province before they take upon themselves to Act in any Office and will not pass, Sent to the Lower house by Samuel Chamberlaine Esq^{r}

The Journal of Accounts is brought from the Lower house by Col Sprigg and five others thus Subscribed.

5 June 1751.

Read & Assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo H°

p. 385 Adjourned till to Morrow Morning ten of the Clock.

June 6 Thursday Morning the 6 June 1751

This house met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled an Act causing Grand & Petit Jurors and Witnesses to come to the Provincial & County Courts & ascertaining their allowances; and will Pass with the following Amendment, before the word, Magistrates, in the 4th 8th & 9th Lines put, Delegates, sent to the Lower house by Col Hammond

The following Message is sent to the Lower house with the Journal of Accounts by Col Plater

By the Upper house of Assembly 6 June 1751.

Gentlemen

You have not made the allowances insisted on, and referred to by a Message from this house the 30th May 1750; neither is there any Allowance made to the Counsellors Sitting in Council, and in the Court of Appeals; and the Salary of the Clerk of the Council since that Time, or the expences for Cloathing four Spanish Prisoners

committed for Murder. Besides which We Observe some Deductions from the Chancellors & Secretarys fees laid before your Committee this Session, We hope you will regulate the Journal accordingly that it may pass this house U. H. J. Liber No. 34 June 6

Signed p Order John Ross Ct Up H.

Read the second time the Bill entituled an Act for Regulating the Interest upon Tobacco and Money and will pass with the following Amendmt. So far as Relates to the Interest of Tobacco to be omitted And in 11th Line of Second Page instead of the words the Charges of the County put the Lord Proprietary for the Support of Government, sent to the Lower house by Edmund Jenings Esqr

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning except Col Lloyd

Three Bills from the Lower house by Messrs Henry and Oldham Viz. An Act for erecting a New Market house in the City of Annapolis; an Act Reviving an Act for the better Relief of Poor Debtors; An Act to Oblige Naval Officers to give Bonds for what Money they shall Receive belonging to the Publick; thus Endowed

By the Lower house of Assembly 4 June 1751

Read the first Time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H

By the Lower house of Assembly 6 June 1751

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house and Ordered to lye on the Table p. 386

Read the Second Time the Bills following Viz. An Act reviving An Act entituled an act for the Speedy Recovery of Small Debts out of Court before a Single Justice of the Peace; An Act for the Tryal of all Matters of fact in the Several Counties where they have arisen or shall arise; and will not Pass, sent to the Lower house by Benedict Calvert Esq.

Read the Petition of the Rector Vestrymen & Churchwardens of St Johns Parish in Baltimore County Praying that the Sum of two hundred and fifty Pounds Currency may be leveyed on the Taxable Inhabitants of the said Parish for building a Chappel of Ease and that the Persons named in the Petition may be appointed Commissioners to lay out the same; And the Petition of the said Rector Vestrymen and Churchwardens of St Johns Parish in Baltimore County afd praying an Additional Salary of Ten pounds may be

U. H. J. Liber No. 34 June 6

given to the Inspectors at Joppa in the said County; Referred to the Consideration of the Lower house of Assembly & sent by Richd Lee Esq

A Bill from the Lower house by Messrs Murdock & Mackall entituled An Act to empower the Justices of Prince Georges County Court to treat with Ann Darnall Widow for her Claim of Dower to the Land on which that County Court house is built and other Purposes therein mentioned; thus Endorsed.

By the Lower house of Assembly 28 May 1751

Read the first Time and ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 6 June 1751

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first Time in this house and Ordered to lye on the Table.

Read the Second time by especial Order the Bill entituled an act to oblige Naval Officers to give Sufficient Bonds for what Monies they shall Receive belonging to the publick; and will pass, with the following Amendments in Page first Line 4th instead of the word, July, incert, November, Line 5th between the words, Sureties, & Payable, incert, to be approved of by the Governor or Commander in Chief for the time being, Line 6th Instead of the word, two, put, one, from the word, Notwithstanding, in the 14th Line leave out to the end & incert the following "Which said Justice or Justices taking such Bond as afd shall be and he or they are hereby directed & Obliged to Lodge such Bond or Bonds with the Clerk of the Council for the Time being in the Council Office to be there kept;" And the Bill Entituled An Act for erecting aNew Markethouse in the City of Annapolis; and will pass, sent to the Lower house by Samuel Chamberlaine Esq.

p. 387

Two Bills from the Lower house by Messrs Crabb & Chaplin Viz. An Act for laying out and erecting a Town on Patowmack River above the Mouth of Rock Creek in Frederick County; thus endorsed

By the Lower house of Assembly 5 June 1751

Read the first time and ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 6 June 1751.

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

An Act to enable the Vestrymen and Churchwardens of Coventry Parish lying Partly in Somerset and Worcester Counties to purchase two acres of Land at some Place between dividing and Nassaongo Creeks in Worcester County fit and Convenient to build a Chappel

of Ease on, and to assess the Parishioners of the said Parish with a certain sum of Money for Compleating the same thus Endorsed U. H. J. Liber No. 34 June 6

By the Lower house of Assembly 6 June 1751.

Read the first and second time by Especial Order and will pass

Signed p Order M Macnemara Cł Lo H.

Read the first time in this house and ordered to lye on the Table

Two Bills from the Lower house by Messrs Lee & Hopper Viz. An Act for abolishing June County Courts; An Act to repeal part of an Act entituled an Act to encourage the destroying of Squirrels and Crows in the Counties therein mentioned; thus Endorsed.

By the Lower house of Assembly 6 June 1751.

Read the first & second time by an Especial Order & will pass

Signed p Order M Macnemara Cł Lo H.

Read the first time in this house and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Friday Morning the 7th June 1751. June 7

This house met again according to Adjournment

Present as Yesterday

Richard Lee Esqr from the Committee appointed to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office brings in the following Report

Maryland ss.

At a Committee of both houses of Assembly appointed to Inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly of the Province aforesaid May the 16th 1751.

Were Present

The honourable Richard Lee Esqr of the Upper house

Coł Thomas Colvill
Major Abraham Barnes
Cap. Zachariah Bond
Coł John Henry
Mr James Baxter
} of the Lower house

Who make choice of Richard Lee Esqr Chairman; & Richard Dorsey their Clerk and agree to make the following Report. p. 388

Your Committee having carefully Inspected the Accounts of the said Commissioners, find that there remains of the 89990£ a Ballance in the Iron Chest /as p the following account/ of £940..8..8¼ s d

U. H. J. Liber No. 34 June 7

D[r] the Office for emitting Bills of Credit		
To Ballance of a former Account Stated April the 10th 1750	553.. 1..11	
To Principal Money Paid into the Office on Loans.	941.. 3.. 7	
To Interest Money paid in	347..12.. 3¾	
To Money Paid by Sundry Sheriffs for Ordinary Licenses	345..17.. 5	
To money paid by the Justices of Kent County on Account of y[e] Inspection Law	81..17.. 3	
To Ditto paid by the Justices of Charles County..	12..15	
To Ditto Paid by the Justices of Dorchester County	1..13	
To Money Paid by Doctor John Jackson for Costs of Suit on William Ward and William Douglass their Bonds	18..17.. 9	
C[r]	£2302..18.. 2¾	
By Money Lent on Interest	410.. 0..11	
By Money Paid for Calvert County Goal	500..	
By Money Paid the Justices of Several Counties their Orders to Sundry Persons on account of the Inspection Law	123..16.. 1½	
By Money Paid the Commn[s] & Clerks Salarys for one Year	320..	
By Ditto paid for one Year Cleaning the office &c..	8..	
By Ditto paid for Wood	..12.. 6	
By Ballance of Coined or Signed Money now in the Chest	940.. 8.. 8¼	
	£2302..18.. 2¾	

It appears to your Committee that there is Still a Ballance due to the office for Money Paid out of the said Office by Virtue of Several Acts of Assembly for Raising and Transporting his Majestys Forces /which is to be replaced by Ordinary Licenses & fines/ the Sum of £4071..0..4¼

Your Committee have Seen burnt to ashes the following Torn & defaced Bills of Old Money which have been Changed for New Bills of the Old Tenor viz.

5	Bills of 20 Shillings	Each	5..—..	
16	Ditto of 15 Shillings	Ditto	12..—..	
43	Ditto of 10 Shillings	Ditto	21..10..	
90	Ditto of 5 Shillings	Ditto	22..10..	
113	Ditto of 2 Sh & 6[d]	Ditto	14.. 2..6	
250	Ditto of 1 Sh & 6[d]	Ditto	19.. 4..	
306	Ditto of 1 Shilling	Ditto	15.. 6..	
				£109..12..6

And also the following Torn and defaced Bills of New Money distinguished by the words New Bill which [have been changed for] New Bills of the same Tenor & dated Ap^{r} 6th 1751. viz. U. H. J. Liber No. 34 June 7

3	Bills of	10	Shillings Value each.	1..10..
2	ditto of	5	Shillings ditto	0..10..
7	ditto of	2	Sh^{s} & 6^{d} ditto	0..17..6
33	ditto of	1	Sh & 6^{d} ditto	2.. 9..6
56	ditto of	1	Shilling ditto	2..16..
				8.. 3..0

Your Committee find by the following Account that there Remains of the £59990..10..0 therein mentioned a Ballance of £4015..6..0 yet in the Office which the Commissioners say they have no authority to apply to any use p. 389

1748 Paper Currency Office.....D^{r}

Oct^{r} 1st	To Money brought in distinguished by the words New Bill for Sinking the old Money as ꝑ Account of Books entered appears.....	59990..10..0
1748 & 1749	To Bills of Exchange drawn upon Mess^{rs} William Hunt Joseph Adams & John Hanbury Trustees in London as ꝑ List of Bills appears amounting to £20990..14..0 which in Currency at 33⅓ ꝑ Centum is.....	27987..12..0
		£87978.. 2..0

ꝑ Contra.....C^{r}

1748 & 1749	By Old Money brought in.....	83962..16..0
By Ballance Remaining in the Office in New Money.		4015.. 6..0
		87978.. 2..0

All which is Submitted to the consideration of both houses of Assembly this 7th day of June 1751. By

Richard Lee
Tho Colvill
John Henry
A Barnes
Zach^{a} Bond

Twenty Engrossed Bills from the Lower house by Mess^{rs} Henry & Bond viz. A Bill Entituled an act continuing an act entituled an act for the more effectual Punishment of certain Offenders and for taking from them the Benefit of Clergy; a Bill entituled an act for destroying of Wolves in Frederick County; A Bill entituled An Act continuing an Act entituled an Act for Punishment of Horse Stealers and other Offenders; A Bill entituled an Act to annex certain

U. H. J. Liber No. 34 June 7

Extraprarochial Lands lying between Nassaongo Creek and Acongo Branch in Worcester County to the Parish of Alhallows; A Bill entituled an Act to enable the Vestrymen & Churchwardens of Durham Parish in Charles County for the Time being to Sell two Tracts of Land therein mentioned & to apply the Produce Money or Tobacco arising by such Sale towards the Purchase of another Piece of Land to be made a Glebe for the Use of the Incumbent of that Parish and his Successors; A Bill entituled an act continuing an Act entituled an act to prevent cutting up Tobacco Plants destroying of Tobacco & Tobacco houses and for ascertaining the Punishment of Criminals guilty of the said Offences; A Bill entituled an act continuing an act entituled an act to enable the several and Respective County Clerks within this Province, to remove some of the County Records & Papers from the publick Offices; A Bill entituled an act to enable the Justices of Charles County to assess and levy on the Taxable Inhabitants of that part of the late Reverend M^{r} Donaldsons Parish which lies in the said County fifty five thousand pounds of Tobacco and for other purposes therein mentioned; A Bill entituled An Act continuing an act entituled a supplementary to an act entituled an act for laying an Imposition on Negroes and Several sorts of Liquors, &
p. 390 also on Irish Servants to prevent the Importing too great a Number of Irish Papists into this Province; a Bill entituled an Act to make the Testimoney of Convicted Persons Legal against Convicted Persons; A Bill entituled an act to enable the Justices of Charles County to levy a Sum of Tobacco on the Taxable Inhabitants of Port Tobacco Parish in the said County for the Purposes therein mentioned; A Bill entituled an Act continuing an act entituled an Additional and Explanatory Act to the act entituled an act impowering the Commissioners of the County Courts to levy and raise Tobacco to defray the necessary charges of their Counties & Parishes; A Bill entituled an Act for the more effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain offenders, and a Supplementary Act to an act entituled an Act to prevent the Tumultuous meeting and other Irregularities of Negroes and other Slaves and directing the manners of Trying Slaves; a Bill entituled an act to establish the Special Court Records of Ann Arundel County; A Bill entituled an act to Aid the Title of Purchasers of Lotts in Princess Ann Town in Somerset County; A Bill entituled an act continuing an Additional Supplementary act to the Act entituled an act relating to Servants and Slaves; A Bill entituled an Act continuing an act entituled an Act to exempt Persons appearing at Musters from arrests in Civil Cases; A Bill Entituled an Act continuing an Act entituled an Act to Prevent certain Evils and Inconveniences attending the Sale of Strong Liquors and runing of horse Races near the Yearly meetings of the People called Quakers and to prevent the Tumultuous Concourse of Negroes & other Slaves during the said Meetings; A Bill Entituled an Act to oblige Naval offi-

cers to give Sufficient Bonds for what Moneys they shall receive belonging to the Publick; A Bill entituled an Act for erecting a new Market house in the City of Annapolis; severally thus subscribed U. H. J. Liber No. 34 June 7

7 June 1751.

Read and Assented to by the Lower house of Assembly
Signed p Order M Macnemara Ct Lo H.

Read and assented to by this house and Ordered to be so Subscribed

Read the second time the Bills following, viz. The Bill entituled [An Act] to repeal part of an act entituled an Act to encourage the destroying of Squirrels & Crows in the Counties therein mentioned; The Bill entituled an act to enable the Vestrymen and Churchwardens of Coventry parish lying Partly in Somerset & Worcester Counties to Purchase two acres of Land at some Place near Nassaongo Creek in Worcester County fit & Convenient to build a Chappel of Ease on and to Assess the Parishioners of the said Parish with a Certain Sum of Current Money for Compleating the same; the Bill entituled An Act to impower the Justices of Prince Georges Court to treat & agree with Ann Darnall Widow for her Claim of Dower to the Land on which that County Court house is built and other purposes therein mentioned; The Bill Entituled an Act for laying out and erecting a Town on Patowmack River above the Mouth of Rock Creek in Frederick County; and will Pass, sent to the Lower house by Col Hammond p. 391

Read the Petition of Sundry Roman Catholicks on behalf of themselves and others against the Bill Entituled an Explanatory Act to the Act entitled an act to repeal a certain act of Assembly Entituled an Act to Prevent the Growth of Popery within this Province and Ordered to lye on the Table

A Bill from the Lower house by Messrs Crabb & Heighe Entituled An Act for the Better Preservation of the Breed of Wild Deer & Preventing unlawful hunting; thus Endorsed

By the Lower house of Assembly 7 June 1751.
Read the first and Second Time by Especial Order & will pass
Signed p Order M Macnemara Ct Lo H

Read the first time in this house and Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Messrs Wootton and Lee Entituled an act for raising an Anual Revenue for the Better Support of the Station & Dignity of his Lordships Governor for the Time being and for the Safety and better defence of this Province thus Endorsed

U. H. J. Liber No. 34 June 7

By the Lower house of Assembly 7 June 1751.

Read the first and second time by an especial Order & will pass

Signed p Order M Macnemara Cl Lo H

Read the first time in this house and ordered to Lye on the Table

Read the second time the Bill Entituled an act for the better Preservation of the Breed of Wild Deer and Preventing unlawful Hunting and will pass with the following Amendments, instead of the Words, to the Use of the County, where such offences shall happen, to defray the Expences of the Inspection Law, in 13 & 14 Lines of the 2d Page put, to the Right honourable the Lord Proprietary for the Support of Government, in the 15th Line of 3d Page instead of the words, the Use of the County where the same shall happen to defray the Expences of the Inspection Law, put, the Right honourable the Lord Proprietary for the Support of Government, sent to the Lower house by Richard Lee Esqr

A Message from the Lower house by Messrs Wootton and Murdock with the Journal of Accounts

By the Lower house of Assembly 7 June 1751.

May it Please Your honours

p. 392 The desire We have that the legal Creditors of the Publick should be paid has Induced Us to Return your Honours the Journal of Accounts and acquaint you that the Particulars omitted by Error in the Governors Account of 1640 pounds of Tobacco this house is willing to allow, as for the other Articles mentioned, and referred in your Message of Yesterday We conceive they are not legal Demands on the publick; therefore cannot allow them. We have good Reason to Expect that your honours will pass the Journal, that the same may not Swell to become too great a Burthen to the People of Maryland

Signed p Order M Macnemara Cl Lo H.

Adjourned till tomorrow Morning ten of the Clock

June 8

Saturday Morning the 8th June 1751.

This house met again according to Adjournment

Present as Yesterday Except Edmund Jenings Esqr

Read the second Time the Bills following Viz. the Bill Entituled an act for abolishing June County Courts; the Bill entituled an Act for raising an Annual Revenue for the better Support of the Station and dignity of his Lordships Governor for the Time being and for the Safety and better Defence of this Province; the Bill entituled an Act for the better Relief of Poor Debtors; and will not Pass, Sent to the Lower house by Benedict Calvert Esq.

Four Engrossed Bills from the Lower house by Messrs Hyland and Bond viz. A Bill Entituled an Act to empower the Justices of Prince Georges County Court to treat and agree with Ann Darnal Widow for her Claim of Dower to the Land on which that County

Court house is built and other Purposes therein mentioned; A Bill entituled an Act to enable the Vestrymen & Churchwardens of Coventry Parish lying Partly in Somerset & Worcester Counties to purchase two acres of Land at Some Place near Nassaongo Creek in Worcester County fit and Convenient to build a Chappel of Ease on, and to Assess the Parishioners of the said Parish with a Certain Sum of Current Money for compleating the Same; A Bill entituled an Act to repeal Part of an Act Entituled an Act to encourage the destroying of Squirells and Crows in the Several Counties therein mentioned; A Bill Entituled An Act for laying out & erecting a Town on Patowmack River above the Mouth of Rock Creek in Frederick County Severally thus Subscribed. U. H. J. Liber No. 34 June 8

8th June 1751

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and Assented to by this house and ordered to be so Subscribed

The following Message is sent to the Lower house with the Journal of Accounts by Daniel Dulany Esquire

By the Upper house of Assembly 8th June 1751. p. 393

Gentlemen

We are Satisfied the Claims we mentioned and which are omitted in your Journal, are as legal and just as those which are Inserted; but that the Journal may not swell to become to great a Burthen to the People, whose Interest and welfare We have Sincerely at heart And that the publick Creditors, except the Members of both houses may be Paid what is Justly due to them and not to Suffer by our disagreement We propose and desire that all such Claims as do not relate to any Members of either house for their Own allowances may be discharged and a Journal passed for that Purpose.

Signed p Order John Ross Ct Up H.

The Several Paper Bills the Originals of which have passed this house this Session are sent to the Lower house by Col Hammond

A Message from the Lower house by Messrs Sullivane & Chaplin

By the Lower house of Assembly 8th June 1751.

May it Please your Honours.

This house having considered his Excellencys Message of the 6th Instant relating to some repairs wanting to the publick buildings have ordered a view to be made of them, the Report of the Gentlemen appointed to that purpose We have herewith sent you and have agreed that a sum not exceeding one hundred pounds Current Money shall be paid by the Treasurer of the Western Shore to be applyed for such Use, and have likewise appointed Doctor Carroll and Mr Worthington to Joyn with any Member or Members of your house you shall please to nominate to agree with Proper workmen to make the necessary repairs: And We propose an Ordinance may be made for that purpose

Signed p Order M Macnemara Ct Lo H.

U. H. J. Liber No. 34 June 8

The following Message is sent to the Lower house by Coł Plater

By the Upper house of Assembly 8th June 1751.

Gentlemen

We concur with you in what you Propose in your Message of this day, and do appoint Coł Hammond and Benedict Calvert Esqr to Joyn with your Members for the Purpose therein mentioned

Signed ꝑ Order John Ross Cł Uꝑ H.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Message from the Lower house by Messrs Traverse & Wilson

By the Lower house of Assembly 8 June 1751.

May it Please your Honours

As We apprehend this Session to be drawing near a Conclusion and that the Principal Matter which at present Prevents it is the want of Your Honours Resolution to the Bill entituled An Explanatory Act to the Act entituled an Act to repeal a Certain Act of Assembly
p. 394 entituled an act to Prevent the Growth of Popery within this Province; begun in and sent from this house to yours the third day of June Instant We therefore Pray Your honours to send down that Bill with your Determination thereon

Signed ꝑ Order M Macnemara Cł Lo H.

The following Message is sent to the Lower house by Richd Lee Esqr

By the Upper house of Assembly 8 June 1751

Gentlemen

The Bill you mention and enquire after in Your Message of this day Still lies on our Table, but as that Bill contains great Penalties & Incapacities, and that We are not at Present Apprized of their Immediate necessity, We have deferred the Second Reading of that Bill untill the last day of July next.

Signed ꝑ Order John Ross Cł. Uꝑ H.

Messrs Sprigg and Colvill from the Lower house acquaint his Excellency their house have no business before them

Edmund Jenings Esqr & Coł Hammond are sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate attendance with the Lower house in the Upper house to See the Laws Passed both houses this Session Receive the Assent

The Lower house attend and by their Speaker Present to his Excellency the following Bills viz.

An Act continuing an act entituled an act for the more effectual Punishment of certain offenders & for taking from them the Benefit of Clergy

An Act for destroying Wolves in Frederick County U. H. J. Liber No. 34 June 8

An Act continuing an Act entituled an Act for Punishment of Horse Stealers and other Offenders.

An Act to annex certain Extraparochial Lands lying between Nassaongo Creek & Acongo Branch in Worcester County to the Parish of Alhallows.

An Act to enable the Vestrymen & Churchwardens of Durham Parish in Charles County for the Time being to Sell two Tracts of Land therein mentioned and to apply the produce Money or Tobacco arising by such Sale towards the Purchase of an other Piece of Land to be made a Glebe for the Use of the Incumbent of that Parish and his Sucessors.

An Act continuing an Act entituled an Act to Prevent cutting up Tobacco Plants destroying of Tobacco & Tobacco houses and for ascertaining the Punishment of Criminals Guilty of the said Offences.

An Act continuing an Act entituled an Act to enable the Several and Respective County Clerks within this Province to remove some of the County Records & Papers from the Publick Offices. p. 395

An Act to enable the Justices of Charles County to assess & levy on the Taxable Inhabitants of that part of the late Reverend M^{r} Donaldsons Parish which lies in the said County fifty five thousand pounds of Tobacco and for other purposes therein mentioned

An Act continuing an act entituled a Supplementary Act to an Act entituled an Act Laying an Imposition on Negroes and Several Sorts of Liquors and also on Irish Servants to prevent the Importing to great a Number of Irish Papists into this Province

An Act to make the Testimony of Convicted Persons legal against Convicted Persons.

An Act to enable the Justices of Charles County to levy a Sum of Tobacco on the Taxable Inhabitants of Port Tobacco Parish in the s^{d} County for the Purposes therein mentioned

An Act continuing an Act entituled an Additional & Explanatory Act to the Act entituled an Act impowering the Commissioners of the County Courts to levy and raise Tobacco to defray the necessary Charges of their Counties and Parishes.

An Act for the more effectual Punishment of Negroes & other Slaves and for taking away the Benefit of Clergy from certain offenders and a Supplementary Act to an Act entituled an Act to Prevent the Tumultuous Meeting and other Irregularities of Negroes & other Slaves and directing the manner of Trying Slaves.

An Act to establish the Special Court Records of Ann Arundel County

An Act to Aid the Title of Purchasers of Lotts in Princess Ann Town in Somerset County

U. H. J. Liber No. 34 June 8

An Act continuing an Act entituled An Additional Supplementary Act to the Act entituled an act relating to Servants & Slaves.

An Act continuing an act entituled an act to exempt Persons appearing at Musters from arrests in Civil Cases.

An Act continuing an Act entituled an Act to Prevent certain Evils and Inconveniences attending the Sale of Strong Liquors & running Horse Races near the yearly Meetings of the People called Quakers and to prevent the Tumultuous concourse of Negroes and other Slaves during the said Meetings

An Act to oblige Naval Officers to give Sufficient Bonds for what Moneys they shall Receive belonging to the publick

An Act for erecting a New Markett house in the City of Annapolis.

p. 396 An Act to empower the Justices of Prince Georges County Court to treat and Agree with Ann Darnal Widow for her Claim of Dower to the Land on which that County Court house is built and other Purposes therein mentioned

An Act to enable the Vestrymen and Churchwardens of Coventry Parish lying Partly in Somerset and Worcester Counties to Purchase two acres of Land at some Place near Nassaongo Creek in Worcester County fit and Convenient to build a Chappel of Ease on and to assess the Parishioners of the said Parish with a certain Sum of Current Money for Compleating the same.

An Act to repeal part of an Act Entituled an act to encourage the destroying of Squirrels & Crows in the Counties therein mentioned

An Act for laying out and erecting a Town on Patowmack River above the mouth of Rock Creek in Frederick County

All which his Excellency Passed into Laws in the usual form by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms and Subscribing them on behalf of the Right honourable the Lord Proprietary of this Province I WILL THIS BE A LAW, The Bill Entituled an Act to prevent more effectually the Sale and Exportation of Trashy and unmerchantable Tobacco being passed into a Law before.

After which his Excellency was Pleased to Conclude this Session with the following Speech

Gentlemen of the Upper & Lower houses of Assembly

The Business of this Session being at an End, I have thought fit with the Advice of his Lordships Council of State to Prorogue this Assembly to the first Tuesday in October next, And you are to take Notice you are Prorogued to that day accordingly

Thus Ends this Session of Assembly begun & held at the City of Annapolis on Tuesday the 15th day of May and ending on Saturday the 8th day of June in the 37th Year of his Lordships Dominion, in the 25th Year of his Majestys Reign Annoq Domini 1751.

J Ross Ct

PROCEEDINGS
OF THE
LOWER HOUSE OF ASSEMBLY

L. H. J. Liber No. 47 1751, May 15 p. 105

At a Session of Assembly held at the City of Annapolis, on Wednesday the 15th Day of May, in the Year of our Lord God 1751, and in the 37th Year of the Dominion of the Right Honourable Charles, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. by Prorogation from the 2d Day of June last; his Excellency Samuel Ogle, Esq; being Governor; appeared in the Lower House of Assembly,

The Honourable Philip Hammond, Esq; Speaker;

For St. Mary's County,
Capt. Zachariah Bond,
Mr. Philip Key,
Maj. Abraham Barnes;

For Kent County,
Mr. Nicholas Smith;

For Anne Arundel County,
Dr. Charles Carroll,
Mr. Thomas Worthington,
Mr. Stephen Bordley;

For Calvert County,
Mr. James John Mackall,
Mr. James Heighe,
Mr. Benjamin Mackall;

For Charles County,
Mr. Bayne Smallwood,
Mr. John Stoddert,
Capt. Arthur Lee,
Mr. Jonathan Wilson;

For Somerset County,
Capt. Isaac Handy,
Mr. Henry Waggaman;

For Talbot County,
Mr. Robert Lloyd;

For Dorchester County,
Mr. Daniel Sulivane,
Col. Henry Hooper;

For Cæcil County,
Col. Thomas Colvill,
Mr. Nicholas Hyland,
Mr. Henry Baker,
Mr. James Baxter;

For Baltimore County,
Mr. William Smith;

For Prince George's County,
Mr. Turnor Wootton,
Col. Edward Sprigg,
Mr. William Murdock;

For the City of Annapolis,
Capt. Robert Gordon;

For Queen Anne's County,
Capt. William Hopper,
Mr. Thomas Wilkinson,
Mr. John Davis;

For Worcester County,
Col. John Henry,
Col. John Scarborough;

For Frederick County,
Capt. Henry Wright Crabb,
Mr. John Smith Prather.

L. H. J. Liber No. 47 May 15 A sufficient Number of the Members of the Lower House being convened at the Stadt-House; Ordered, That Col. Sprigg and Col. Hooper do acquaint his Excellency therewith: They return, and acquaint Mr. Speaker, that they delivered the Message.

Edmund Jenings, Esq; and Col. Charles Hammond, from the Upper House, acquaint Mr. Speaker, That his Excellency the Governor requires the Attendance of the Lower House immediately in the Upper House.

Mr. Speaker left the Chair, and, attended by the Members of the Lower House, went to the Upper House; where his Excellency made the following Speech; viz. (See page 505)

p. 107 Mr. Speaker (with the other Members) returned to the Lower House, and resumed the Chair.

The Governor communicated to Mr. Speaker some Papers relating to the Indians.

Mr. John Tillotson, a Member returned to serve in this Assembly for Queen Anne's County, appeared in the House. Ordered, That Capt. Hopper and Mr. Davis do go with Mr. Tillotson to the Upper House, to see him qualified: They return, and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

His Excellency the Governor's Speech was read, and ordered to lie on the Table.

The several Papers, communicated by his Excellency to Mr. Speaker, were read, and ordered to lie on the Table.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Ordered, That the Rules of the House, observed last Session, be observed as such this Session.

Ordered, That the Gentlemen that were on the several Committees last Session, be continued thereon this Session.

Resolved, That the Hours of sitting this Session, be from 9 of the Clock in the Morning until 12; and from 2 of the Clock in the Afternoon until 6.

Ordered, That Mr. Worthington do acquaint the Reverend Mr. Malcolm, That he is desired by this House to read Divine Service, Morning and Evening, during this Session.

Ordered, That Mr. Speaker do issue his Warrant, directed to the Secretary of this Province, forthwith to make out a new Writ of
p. 108 Election, directed to the Sheriff of Baltimore County, to elect a Delegate to serve in this Assembly, in the Room of Major Thomas Sheredine, who hath, since his being elected a Delegate for that

County, accepted of the Office of Sheriff; and also to elect a Delegate to serve in this Assembly, in the Room of Capt. Darby Lux, deceased: As also, To the Sheriff of Calvert County, to elect a Delegate to serve in this Assembly, in the Room of Mr. Benson Bond, deceased. L. H. J. Liber No. 47 May 15

Mr. William Murdock is added to the Committee of Accounts, and to the Committee of Grievances and Courts of Justice.

Mr. James Baxter is added to the Committee for inspecting the Office and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly.

Col. Sprigg, from the Committee of Accounts, acquaints Mr. Speaker, That that Committee had made choice of Mr. Beale Nicholson for Clerk: The House approves the Choice; and Ordered, that he be qualified in the usual Manner.

Capt. Robert Gordon acquaints Mr. Speaker, that Mr. Nicholson had qualified for Clerk of the Committee of Accounts, before him, as a Provincial Magistrate, in the usual Manner.

The House having taken into Consideration the Governor's Speech; Ordered, That the Committee of Laws do prepare and bring in an Address to his Excellency thereon.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Thursday Morning, May 16, 1751. May 16

The House met according to Adjournment. The Members were called, and all appeared as yesterday: The Proceedings of yesterday were read.

Col. King, Col. Robert Henry, Capt. Addison, and Mr. Oldham, appeared in the House.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. John Goldsborough appeared in the House.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency; which was read, approved, and ordered to be ingrossed. p. 109

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker the following ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble address of the House of Delegates.

May it please your Excellency,

We his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, return your

L. H. J. Liber No. 47 May 16 Excellency our sincere Thanks for your kind Speech at the opening of this Session.

Altho' we should at all Times have been willing and ready to leave our Homes to attend our Duty, and communicate our Opinion and Advice, for the common Interest of our Constituents; yet it is with the greatest Sense of Gratitude we acknowledge your good Intentions, in saving the Province the Expence, and us the Trouble, of meeting at an inconvenient Session of the Year, where absolute Necessity did not require it.

The Concern your Excellency expresses, under the Apprehension of the Want of Corn, for the Support of the poorer Sort of People, claims our Acknowledgment. The guarding against a Calamity which must attend the Scarcity of Grain, together with the several Matters relating to Indian Affairs, by your Excellency laid before us, shall in the Course of this Session be taken under our most serious Consideration; and we shall, in both Cases, do what may be consistent with Prudence and Duty, as well as the Interest and Safety of those we represent.

We agree with your Excellency, that the Goodness of Roads, and Conveyance by Water, to render Carriage easy, commodious, and cheap, must have great Influence on the Commerce of every Country; and as Nature has happily given this Province great Share of the latter, so we shall consider how the former may be further improved, consistent with the Convenience of the People.

The strong Assurances your Excellency hath given us, of your hearty Concurrence and Assistance in whatever we undertake for the Public Good, will encourage us with Chearfulness, to set about the making such Laws as will necessarily promote it, by advancing the Trade, and consequently the Riches and Prosperity of the Province.

The Advantages we receive from the Inspection Law are visible, and fully sufficient to incite us to endeavour for such proper Ammendments, as will bring it to Perfection; and, under a Continuance, enable us to become a prosperous and flourishing People.

p. 110 The great Opinion we have of your Excellency's humane and benevolent Disposition, will not permit us to suppose you desire any Increase of Power, but to enable your Excellency to promote the Happiness of those under your Administration.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

Ordered, That Col. King and Mr. Key do acquaint his Excellency, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor was pleased to signify, that he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Col. Sprigg, with fourteen more, do present the Address. L. H. J. Liber No. 47 May 16

The House adjourns until Tomorrow Morning at 9 of the Clock.

Friday Morning, May 17, 1751. May 17

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

The following Message; viz.

By the Lower House of Assembly, May 17, 1751.

May it please your Honours,

This House hath appointed Col. Colvill, Major Barnes, Col. John Henry, Capt. Bond, and Mr. Baxter, a Committee from this House, to inspect the Accounts and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly; and desire your Honours to appoint one or more of the Members of your House, to join in the said Committee.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Major Barnes and Mr. Baxter.

On motion that a Bill may be brought in, to direct and prescribe the Form of an Oath to be taken by the several Officers of this Province, before they take upon themselves to act in any Office; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in, to make the Testimony of imported convicted Persons legal, against such Convicts; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. p. 111

On motion that a Bill be brought in, to prevent more effectually the Sale and Exportation of Trash Tobacco; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in, to impower the several Clerks of the County Courts of this Province to issue Writs of Replevin; Leave is given.

On motion that a Supplementary and Explanatory Bill be brought in, to the Act entituled, An Act for the Ease of the Inhabitants, in examining Evidences relating to the Bounds of Lands, and in the Manner of obtaining Injunctions; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in, to prevent the destroying of small Fish in Water Pots; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

L. H. J. Liber No. 47 May 17

The Governor communicates to Mr. Speaker the following Answer to the Address of this House; viz.

Gentlemen of the Lower House of Assembly,

I Return you hearty Thanks for your kind Address, and you may be assured of my sincere Desire to promote the Happiness of the good People of Maryland on all Occasions, to the utmost of my Power.

Sam. Ogle.

On motion, Ordered, That the Committee of Laws do make an Enquiry into what Acts will expire with this Session; and prepare and bring in Bills to revive all such Acts.

On motion that a Bill be brought in, for the speedy Recovery of small Debts out of Court, before a single Magistrate; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Ordered, That no Claim against the Public be received in this House this Session, after Saturday the 25th Instant.

Ordered, That the Committee of Accounts do close the Journal of Accounts on Monday the 27th Instant.

On motion that the House do proceed to take into Consideration the several Papers communicated by his Excellency the Governor
p. 112 to this House, relating to the Indian Affairs; Resolved, That the same be taken into Consideration on the Morrow Morning.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act continuing an Act entituled, An Act to prevent cutting up Tobacco Plants, destroying of Tobacco and Tobacco Houses, and for ascertaining the Punishment of Criminals guilty of the said Offences: A Bill entituled, An Act continuing an Act entituled, An Act for Punishment of Horse-stealers, and other Offenders: A Bill entituled, An Act continuing an Act entituled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy: A Bill entituled, An Act continuing an Act entituled, A Supplementary Act to an Act entituled, An Act laying an Imposition on Negroes, and several Sorts of Liquors imported; and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province: A Bill entituled, An Act continuing An Act entituled, A Supplementary Act to the Act entituled, An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders: And to an Act entituled, An Act to prevent the tumultuous Meeting and other Irregularities of Negroes and other Slaves, and directing the Manner of trying Slaves:

A Bill entituled, An Act continuing an Act entituled, An Act to exempt Persons appearing at Musters from Arrests in Civil Cases: A Bill entituled, An Act continuing an Act entituled, An Act to enable the several and respective County Clerks within this Province, to remove some of the County Records and Papers from the Public Offices: A Bill entituled, An Act continuing an Additional Supplementary Act to the Act entituled, An Act relating to Servants and Slaves: And a Bill entituled, An Act continuing an Act entituled, An Additional and Explanatory Act to the Act entituled, An Act impowering the Commissioners of the County Courts to levy and raise Tobacco, to defray the necessary Charges of their Counties and Parishes. L. H. J. Liber No. 47 May 17

Which Bills were severally read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Saturday Morning, May 18, 1751. May 18

The House met according to Adjournment, &c. All appeared as yesterday, except Mr. Baker. The Proceedings of yesterday were read.

Dr. Carroll, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act continuing an Act entituled, An Act to prevent certain Evils and Inconveniencies attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers; and to prevent the tumultuous Concourse of Negroes and other Slaves, during the said Meetings: Which was read the first Time, and ordered to lie on the Table. p. 113

Mr. Wootton delivers to Mr. Speaker a Bill entituled, An Act for issuing Writs of Replevin out of the County Courts of this Province: Which was read the first Time, and ordered to lie on the Table.

The Order of the Day being read, the House proceeded to take into Consideration the several Letters and Papers relating to the Indian Affairs; and Resolved, That an Address be prepared to his Excellency the Governor thereon.

Ordered, That the Committee of Laws do prepare and bring in such Address.

On motion that a Bill be brought in for the Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill be brought in to abolish June County Courts; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

L. H. J. Liber No. 47 May 18

Mr. Wootton delivers to Mr. Speaker a Bill entituled, A Supplementary and Explanatory Act to the Act entituled, An Act for the Ease of the Inhabitants, in examining Evidences relating to the Bounds of Lands, and in the Manner of obtaining Injunctions: Which was read the first Time, and ordered to lie on the Table.

On motion that a Bill be brought in for processioning of Lands; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the following Message; viz.

By the Upper House of Assembly, May 18, 1751.

Gentlemen,

This House hath appointed Richard Lee, Esq; to join the Members named by your House, in a Committee, to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns until Monday Morning 9 of the Clock.

May 20 p. 114

Monday Morning, May 20, 1751.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday. The Proceedings were read.

Mr. Walter Dulany appeared in the House.

Resolved, That this House will not receive any new Business, after Saturday next, the 26th Instant.

Ordered, That the Clerk do issue Summons for Mr. Thomas Stone, Mr. William Eilbeck, and Mr. Robert Yeates, of Charles County, Gentlemen, to attend at the Bar of this House, on Monday next, the 27th Instant, to answer the Complaints of Aaron Nalley, and Peter Dent, severally reported to this House by the Committee of Aggrievances and Courts of Justice, last Session of Assembly.

Ordered, That Mr. Speaker issue his Warrants, directed to the Serjeant at Arms attending this House, commanding the said Serjeant, that he by himself, or his Deputy, do forthwith take the Body of Mr. Daniel of St. Thomas Jenifer and Mr. Allen Davis, of Charles County, Gentlemen, into Custody, and them safe keep, so that they be immediately brought to the Bar of this House, to answer their Contempt of this House last Session.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to prevent more effectually the Sale and Exportation of trashy and unmerchantable Tobacco, and for other Purposes therein mentioned; which was read the first Time, and ordered to lie on the Table.

The House adjourns until 2 of the Clock.

Post Meridiem.

L. H. J. Liber No. 47 May 20

The House met according to Adjournment.

Mr. Lecompte and Mr. Mills appeared in the House.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Vestry and principal Inhabitants and Freeholders of Durham Parish in Charles County, praying Leave for a Bill to enable the Vestry to sell the Glebes belonging to the said Parish, to purchase Lands more convenient for the Use of said Parish: A Petition of some of the Inhabitants of the Town of Bladensburg in Prince George's County, praying that the Inhabitants be restrained from suffering Swine to go at large in the said Town: A Petition of James Hutchings, of Kent Island, Public House Keeper and Ferryman, praying Leave to bring in a Bill to have a public Road laid out from Cock's Bridge, in a direct Line to the Petitioner's House: And p. 115
a Petition of Joseph Cheney and Anne his Wife, praying a Bounty to make public a Cure for the Bloody Flux; with several Testimonials of Cure performed, annexed to the said Petition. Which were severally Indorsed, " Referred by the Upper House of Assembly to the Consideration of the Lower House."

The Bill entituled, An Act to prevent more effectually the Sale and Exportation of trashy and unmerchantable Tobacco, and for other Purposes therein mentioned; was read and committed for Amendments.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Tuesday Morning, May 21, 1751. May 21

The House met according to Adjournment. The Members were called, and all appeared as yesterday: The Proceedings were read.

Capt. Robins appeared in the House.

On motion that a Bill be brought in, to impower the Justices of Prince George's County to treat with and purchase from Mrs. Anne Darnall her Right of Dower, which she hath to the Land whereon the Court-House is built, and for other Purposes; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion, Ordered, That the County Levies of the several Counties within this Province, for the last Year, be laid before this House.

Ordered, That the Committee of Grievances do make Enquiry, whether the Clerks and Under-Clerks take the Oaths prescribed by Law; how Executions are issued for Attorneys Fees; how Cost is taxed on Judgments on Actions, brought before and since the Commencement of the Inspecting Law; and how Executions have issued on those Judgments; whether Entries and Oaths are not lengthened,

L. H. J. Liber No. 47 May 21 or more made than formerly, or any other Charge of Fees made contrary to Law; and report the same to the House.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

On motion that a Bill be brought in, to aid the Rights of the People to the Land in Princess Anne Town, in Somerset County; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion of a Member, for Leave to bring in a Supplementary Bill to the Act for Relief of Creditors in England against Bankrupts, who have imported any Goods into this Province not accounted for; Leave is given.

p. 116 Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker a Petition of George Gordon, Sheriff of Frederick County, and several Inhabitants, praying that an Allowance be made for building a Prison in Frederick County; Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House."

The House adjourns until Tomorrow Morning at 8 of the Clock.

May 22 Wednesday Morning, May 22, 1751.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

Capt. Travers appeared in the House.

On motion that a Bill be brought in, to oblige Attorneys to prove their List of Fees, before they obtain Executions; Leave is given.

On reading the Petition of George Gordon, Sheriff of Frederick County, and several of the Inhabitants; the Question was put, Whether the said Petition be granted or not? Resolved in the Negative.

For the Negative.

Mr N. Smith	Mr Wilson	Mr Wootton
Worthington	Waggaman	Hopper
Heighe	J. Goldsborough	Wilkinson
B. Mackall	Oldham	Tillotson
Smallwood	Lecompte	Crabb
Stoddert	Hyland	Prather
Lee	W. Smith	

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May 22

For the Affirmative.

Mr Bond	Mr Colvill	Mr Davis
Mills	Baxter	Robins
King	Sprigg	Scarborough
Handy	Murdock	J. Henry
Sulivane	Gordon	
Travers	Dulany	

The Petition of Joseph Cheney and Anne his Wife, referred from the Upper House to the Consideration of this House, was here read and rejected.

The Petition of the Vestry, and sundry of the principal Inhabitants and Freeholders, of Durham Parish in Charles County, referred from the Upper House to the Consideration of this House, was read and granted.

Mr. Wootton delivers to Mr. Speaker a Bill entituled, An Act to oblige Attorneys to prove their Lists of Fees, before they obtain Executions for the same, was read the first Time, and ordered to lie on the Table.

The Petition of several Inhabitants of the Town of Bladensburg, p. 117
referred from the Upper House to the Consideration of this House, was here read and granted.

Col. Hammond, from the Upper House, delivers to Mr. Speaker a Petition of the Vestrymen, Churchwardens, and principal Inhabitants, of Port Tobacco Parish in Charles County; praying an Act to pass, to enable the Justices of said County to levy on the taxable Inhabitants of said Parish 140000 Pounds of Tobacco, clear of all Deductions, and Sheriff's Salary for Collection, in three Years, &c. Indorsed, " By the Upper House of Assembly, referred to the Consideration of the Lower House."

Mr. Wootton, delivers to Mr. Speaker a Bill entituled, An Act to prohibit the raising of Swine in the Town of Bladensburg, in Prince George's County; which was read the first Time, and ordered to lie on the Table.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. Chaplain appeared in the House.

On reading the second Time the Bill entituled, An Act to prevent more effectually the Sale and Exportation of trashy and unmerchantable Tobacco, and for other Purposes therein mentioned; the Question was put, Whether the following Proviso; viz.

" Provided also, That nothing in this Act contained shall be deemed, taken, or understood to affect or extend to any Person or

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Persons buying, selling, or carrying Tobacco for smoaking, chewing, or other common Use of the People within this Province; or the Tobacco so by him, her, or them carried or kept in his, her, or their House or Houses, purchased for such Purpose and Use as aforesaid only, so as the same do not exceed the Quantity of ten Pounds, for every taxable Person under his, her, or their Charge."

Shall stand a Part of the said Bill, or not? Resolved in the Affirmative.

For the Affirmative.

Mr N. Smith	Mr R. J. Henry	Mr Baxter
Carroll	Handy	Smith
Worthington	Waggaman	Gordon
J. J. Mackall	Oldham	Hopper
Heighe	Sulivane	Wilkinson
B. Mackall	Hooper	Davis
Smallwood	Lecompte	Tillotson
Stoddert	Travers	Robins
Wilson	Colvill	J. Henry
King	Hyland	

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For the Negative.

Mr Bond	Mr Goldsborough	Mr Dulany
Mills	Lloyd	Scarborough
Key	Wootton	Crabb
Barnes	Addison	Prather
Bordley	Sprigg	
Lee	Murdock	

The Bill entituled, An Act to prevent more effectually the Sale and Exportation of trashy and unmerchantable Tobacco, &c. was read the second Time and passed, and sent to the Upper House by Col. Sprigg and Major Barnes.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be ingrossed.

Mr. Lloyd, from the Committee of Laws delivers to Mr. Speaker the following ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

This House having taken into Consideration the several Papers relating to Indian Affairs, from the Governors of New-York and Pennsylvania, laid before us by your Excellency, Observe, That those two Governments are greatly concerned in Trade with the several Nations of Indians; therefore much benefitted, by keeping up their respective Interests with them.

"Altho' we are not insensible of the Danger which, in Time of War, we may be liable to, from the Nearness of the French and their allied Indian Nations; yet the Happiness of Peace, we hope, will be a Means of present Security. And inasmuch as the People of this Province receive no Benefit from Traffick, or are provided with suitable Presents for those Indians in Alliance with the English; nor will our Circumstances admit of laying any new Burthens for procuring such; we therefore cannot, consistent with our Duty, increase any Charge upon our Constituents for that Purpose. L. H. J. Liber No. 47 May 22

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Thursday Morning, May 23, 1751. May 23

The House met accrding to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings were read. p. 119

The Bill entituled, An Act for issuing Writs of Replevin, &c. The Bill entituled, a Supplementary and Explanatory Act to the Act entituled, An Act for the Ease of the Inhabitants, &c. And the Bill entituled, An Act to prohibit the raising of Swine in the Town of Bladensburg, &c. Were severally read the second Time and passed, and sent to the Upper House by Mr. Stoddert and Capt, Travers.

Col. Hooper, from the Committee of Grievances, delivers to Mr Speaker the following Report; viz.

By the Committee of Grievances and Courts of Justice, May 22, 1751.

Your Committee conceive it their Duty to represent to your Honourable House, that the Growth of Popery within this Province may (if not timely check'd by some additional Laws, or putting in Execution the Laws now in Being) become dangerous to his Majesty's Dominion and his Lordship's Government, as it now is manifestly prejudicial to the Protestant Interest, and a growing Grievance. That the Papists within this Province, contrary to known Laws, send their Children to foreign Popish Seminaries, there to be bred and trained up in the Popish Religion, out of the King's Obedience, and where they imbibe Principles destructive of our Religious and Civil Rights; many of which return Priests or Jesuits, and here live together in Societies, propagating with great Industry their Doctrine. That such, and other Seminary Priests, or Jesuits, so living together in Houses of their own, with public Mass-Houses; some taking upon them to teach Youth, purchase many Tracts of Land and Plantations, which they pretendedly hold in their own Right, extending such their Settlements to the back Parts of this Province. That as Numbers of Germans, French, and other Foreigners, come into and settle the back and remote Parts, among which are divers

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Papists and Jesuits, or Priests of their own Nations, will, if not timely prevented, all together become a dangerous intestine Enemy, ready to join French or Indians, who are but too near, and surrounding the British Settlements on this Continent; and whose Incursions into our neighbouring Provinces, with the Devastations and Cruelties, by them committed in the late War, is but too recent an Example of what may be apprehended.

The fatal Consequences to all his Majesty's loyal Subjects of Maryland, which must attend this spreading Evil, are too many for us to enumerate: Therefore we humbly submit them to the Consideration of your Honourable House.

Signed per Order, Wm. Wilkins, Clerk.

p. 120 Was read and referred for Consideration on Tuesday the 28th Instant.

Ordered, That Mr. Key and Capt. Crabb do acquaint his Excellency, that this House hath prepared an Address, and desire to know when and where he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified that he was ready to receive the Address immediately.

Ordered, That Col. R. J. Henry, with five more, do present the Address.

On motion that a Bill be brought in for the Preservation of Sheep; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Supplementary Bill to the Act for quieting Possessions enrolling Conveyances, and securing the Estates of Purchasers, be brought in; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The Petition of the Rector, Vestry, Churchwardens, &c. of Port-Tobacco Parish in Charles County, was read and granted.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

On motion that a Supplementary Bill be brought in to the Act entituled, An Act declaring Female Mulattoes, born of White Women, and of Free Negroes, to be Taxables; Leave given; Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to prevent more effectually the Sale and Exportation of trashy and unmerchantable Tobacco, &c. Indorsed, " By the Upper House of Assembly, May 23, 1751. Read the second Time, and will pass, with the following Amendments: In Page 1, Line 9, after the Word happen, put or the Party resides.

In Line 10, between the Words Plaint and Information, insert the Word or; and in the same Line leave out the Words or Indictment. In Page 2, Line 3, between happen and by, insert or the Party resides, From the Word That, in Line 5 of the same Page, to the Word is in the 9th Line, to be omitted; and insert the following Words, As often as any Magistrate shall be informed by any credible Person, on Oath, or Affirmation if a Quaker, that he suspects and verily believes some trashy Tobacco to be in any particular Tobacco-House, Storehouse, Warehouse, Barn, or other Outhouse, Ship, or other Vessel, Inclosure, or other Place whatsoever, designed or intended to be carried or exported out of the Province without Inspection; it shall and may be lawful to and for such Magistrate, and he. After the Word into, in the 13th Line of the same Page, insert the Word it; and the following Amendment in a Parenthesis, (Except such House or Place be on the Plantation whereon such trashy or unmerchantable Tobacco shall appear, by the Oath, or Affirmation if a Quaker, of the Owner, to have been made; and also except Inspecting-Houses, and other Houses used by Inspectors, for the convenient Carrying on and Execution of the Inspection-Law). After the Word Case, in the 18th Line of the same Page, to the Word sold in the 19th Line, to be left out; and the following Words inserted, the same Quantity so informed against. In Page 5, Line 3, between the Words then there, insert and. In the 6th Line of the same Page, instead of the Words Bill of Indictment, insert Presentment. Between the 17th and 18th Lines of the same Page, omit the whole Interlineation. In Page 6, Line 2, after the Word not, to the Word be, to be left out; and insert the Word intended. In the same Page, the 5th Line, after the Word Penalties, insert other than the Loss and Burning of such trashy Tobacco, instead of the Words by this Act, on such Tobacco so taken under Carriage as aforesaid. The three Provisoes, in the 7th Page, to be left out. The 8th and 9th Pages to be left out; and the 10th Page, to be left out, to the Word This, in the 24th Line.

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"Signed per Order, J. Ross, Cl. Up. Ho."

George Plater, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Vestrymen, &c. of that Part of the late Mr. Donaldson's Parish, which lies in Charles County, praying an Act to empower them to build a Church, &c. and a Petition of the Inhabitants of the North Side of Elk River in Cæcil County, and others, praying an Act to build a new Court-House and Goal on the public Ground in Charles-Town, &c. Which Petitions were severally Indorsed, "By the Upper House, referred to the Consideration of the Lower House."

On reading the Amendments proposed by the Upper House, to the Bill for preventing the Sale and Exportation of trashy Tobacco, &c. the Question was put, Whether this House agrees to leave out

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the three following Provisoes, proposed by the Upper House, or not; viz.

"Provided always, and it is hereby Enacted and Declared, That from and after the End of this present Session of Assembly, every Information to be made, in order to search and seize as aforesaid, shall be made within thirty Days next after the purchasing, bartering for, selling, or offering to Sale as aforesaid, and not after.

"Provided also, That no other or greater Quantity of trashy or unmerchantable Tobacco, not bartered for, bought, or sold, contrary to this Act, than the Quantity proved by the Informer, shall be subject to Seizure, Removal, or being meddled with, by such Magistrate, Officer, or Officers, Informer of Informers, altho' found and being in such Houses, but shall remain and be as the Property of the Owner or Owners of such Tobacco or Tobaccoes; such Owner or Owners proving, by his, her, or their own Oath, or Affirmation if a Quaker, or by the Oath or Affirmation of some other credible Person, that the said Tobacco has not been bartered for, bought, or sold, contrary to the Direction of this Act.

"Provided also, That nothing in this Act contained shall be deemed, taken, or understood, to affect or extend to any Person or Persons buying, selling, or carrying Tobacco for smoaking, chewing, or other common Use of the People within this Province; or the Tobacco so by hm, her, or them carried or kept in his, her, or their House or Houses, purchased for such Purpose and Use as aforesaid only, so as the same do not exceed the Quantity of ten Pounds for every taxable Person under his, her, or their Charge."

Proposed by the Upper house; or Not? Resolved in the Negative.

For the Negative.

Mr Mills	Mr Handy	Mr Hopper
N. Smith	Waggaman	Wilkinson
Carroll	J. Goldsborough	Davis
Worthington	Lloyd	Tillotson
J. J. Mackall	Oldham	Robins
B. Mackall	Hooper	Scarborough
Stoddert	Lecompte	J. Henry
King	Travers	
R. J. Henry	Hyland	

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For the Affirmative.

Mr Bond	Mr Wilson	Mr Murdock
Key	Sulivane	Gordon
Barnes	Colvill	Dulany
Bordley	Baxter	Crabb
Heighe	W. Smith	Chaplain
Smallwood	Wootton	Prather
Lee	Sprigg	

The Question was put, Whether the House agrees to the last Amendment relating to the striking out of the said Bill the Clauses relating to the Payment of Money by the People not making Tobacco, on the 10th Day of June instead of the 10th Day of April; and the Clause restricting the Sheriffs from executing for other or greater Sum than 12 s. 6 d. for every 100 lb. Weight of Tobacco, and so in Proportion, that should be due after the 10th of June yearly; and the Clause empowering Tobacco-Makers to pay Money on the 25th Day of May yearly, instead of the 10th Day of April; and the Clause that gives People, that dont make Tobacco enough to discharge all Tobacco Claims, Liberty to pay Part in Tobacco on the 10th Day of April, and Part in Money on the 25th Day of May; proposed by the Upper House to the said Bill, or Not? Resolved in the Negative. L. H. J. Liber No. 47 May 23

For the Negative.

Mr N. Smith	Mr Handy	Mr Wilkinson
Carroll	Waggaman	Davis
Worthington	Goldsborough	Tillotson
J. J. Mackall	Lloyd	Robins
Heighe	Oldham	Scarborough
B. Mackall	Hooper	J. Henry
Smallwood	Lecompte	Crabb
Stoddert	Travers	Chaplain
Wilson	Hyland	Prather
King	Smith	
R. J. Henry	Hopper	

For the Affirmative.

Mr Bond	Mr Lee	Mr Sprigg
Mills	Sulivane	Murdock
Key	Colvill	Gordon
Barnes	Baxter	Dulany
Bordley	Wootton	

The House adjourns until Tomorrow Morning at 9 of the Clock.

Friday Morning, May 24, 1751. May 24

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

On motion that a Bill be brought in, for moderating the Interest on Money and Tobacco; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

L. H. J. Liber No. 47 May 24 p. 124

On motion that a Bill be brought in, for destroying Wolves in Frederick County; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House taking into Consideration the Report made last Session from a Committee of both Houses, of the State and Condition of the Paper Currency Office, and the Accounts relating thereto; and then referred for an Enquiry this Session: Resolved, That it appears, the several Sums of 112 l. 15 s. 10 d. 2 q. 100 l. 18 s. 1 d. and 83 l. 11 s. (mentioned in the said Report to be still due from Edward Trippe, Benjamin Bradford, and Richard Porter, on Account of Ordinary Licenses and Public Assessments, which they, as Sheriffs of Dorchester, Cæcil, and Talbot Counties, were directed to pay to the Commissioners or Trustees for emitting Bills of Credit established by Act of Assembly, by the Act entituled, An Act for issuing and paying out of the Office of the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly, the Sum of 2562 l. 10 s. Current Money, in Bills of Credit, to be applied for the Encouragement of Persons voluntarily inlisting themselves in his Majesty's Service; and by the Act entituled, An Act for raising and issuing Money, for maintaing his Majesty's Forces to be raised in this Province, and for transporting them to the Place of Rendezvous in the West-Indies; to receive, and pay to the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly), Were paid by the said Edward Trippe, Benjamin Bradford, and Henry Porter, to the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly; in Pursuance of the aforesaid Acts of Assembly.

The House adjourns until 2 of the Clock.

Post Meridiem

The House met according to Adjournment.

Mr. Baker appeared in the House.

The Petition of the Vestry, &c. of the late Mr. Donaldson's Parish, was read and granted.

The Petition of the Inhabitants of the North Side of Elk River in Cæcil County, and others, was read, and referred to the Consideration of next Assembly.

p. 125 A Petition of sundry the Inhabitants of Cæcil County, preferred to this House, was read and referred to the Consideration of next Assembly.

On motion that an Enquiry be made into the Form of a Machine, lately invented for catching of Fish; Ordered, That Mr. Key, Mr. Bordley, Mr. Baker, and Col. Scarborough, be a Committee to make Enquiry, and Report the same to the House.

On motion that a Bill be brought in, for the Preservation of the Breed of wild Deer, and unlawful Hunting, and to prevent burning of the Woods; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. L. H. J. Liber No. 47 May 24

On motion to bring in a Bill to prevent the Sale of uninspected Tobacco; Leave is given: Ordered, That Mr. Wootton, Mr. Key, and Mr. Bordley, do prepare and bring in the same.

On motion to bring in a Bill to repeal Part of the Act, which directs Sheriffs in summoning Jurors to attend the Provincial Court; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Saturday Morning, May 25, 1751. May 25

The House met according to Adjournment: The Members were called, and all appeared as yesterday, except Mr. William Smith.

Mr. Wilmer appeared in the House.

On motion that a Bill be brought in for Relief of poor Debtors; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill to repeal Part of the Squirrel Law, made in 1750, be brought in; Leave is given; Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill to erect a Town on Potowmack River, near the Mouth of Rock-Creek in Frederick County, be brought in; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that a Bill to divide Frederick County be brought in; Leave given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that an Advertisement, tending to the Breach of Privilege of this House, was yesterday fixed on the Door, at the public Entrance thereof: Resolved, That the same be taken under Consideration on Monday the 3d Day of June. p. 126

A Bill entituled, An Act to enable the Vestrymen and Churchwardens of Durham Parish, &c. to sell two Tracts of Land, &c. was read the first Time, and ordered to lie on the Table.

On motion that a Bill be brought in for the Settlement of an annual Revenue upon his Lordship's Governor for the Time being; Leave given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

On motion that Leave be given to bring in a Bill, to oblige the several Naval Officers within this Province to give sufficient Bonds for what Moneys they shall receive belonging to the Public; Leave is given.

L. H. J. Liber No. 47 May 25

Mr. Key, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to enable the Justices of Charles County to levy a Sum of Tobacco on the taxable Inhabitants of Port Tobacco Parish in the said County, for the Purposes therein mentioned; which was read the first Time and ordered to lie on the Table.

On motion that a Bill be brought in, to direct the Manner of paying the Fees arising on special Commissions; Leave given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until Monday Morning 9 of the Clock.

May 27

Monday Morning, May 27, 1751.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Capt. Addison, Mr. J. J. Mackall, Mr. Lloyd, Mr. J. Goldsborough, and Mr. Baxter. The Proceedings were read.

Capt. Handy hath Leave of the House to go home.

It being moved, That a Bill be brought in to annex that Part of the Indian Town, that lies between Nassaongo Creek and Accongo Branch, to the Parish of Allhallows in Somerset County; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The House adjourns until 2 of the Clock.

Post Meridiem.

p. 127

The House met according to Adjournment.

Mr. Wootton delivers to Mr. Speaker a Bill entituled, An Act to prevent the Sale of Trashy Tobacco; which was read the first Time: And on reading the second Time, by especial Order, the said Bill; the Question was put, Whether the said Bill shall pass, or Not? Resolved in the Affirmative.

For the Affirmative.

Mr Bond	Mr Wilson	Mr Wootton
Mills	King	Addison
Key	R. J. Henry	Sprigg
Barnes	Handy	Murdock
Wilmer	Waggaman	Gordon
Carroll	Oldham	Dulany
Worthington	Sulivane	Scarborough
Bordley	Hooper	J. Henry
B. Mackall	Colvill	Crabb
Smallwood	Hyland	Chaplain
Stoddert	Baker	Prather
Lee	Baxter	

L. H. J.
Liber No. 47
May 27

For the Negative.

Mr N. Smith	Mr Travers	Mr Davis
Heighe	Hopper	Tillotson
Lecompte	Wilkinson	Robins

Which Bill was accordingly Indorsed, " Read the first and second Time by especial Order, and will pass; " and was sent to the Upper House by Mr. Wootton and three more.

Mr. William Eilbeck, one of the Justices of Charles County, having attended the Summons of this House issued the 20th Day of May Instant, on a Report from the Committee of Grievances and Courts of Justice, made last Session, relating to a Judgment rendered by the Justices of Charles County in June Court, 1749, against a certain Peter Dent; was called to the Bar of the House; and the said Report being read to him, he confessed the Facts therein set forth to be true; that he was present in Court when the Judgment was entered; that he was involved in passing the said Judgment, by the Majority of the Opinions of the said Justices, and omitted entering any Protest thereto; and that he submitted to the Lenity and Determination of this House.

Mr. Eilbeck was ordered to withdraw.

The House took into Consideration the Answer of Mr. Eilbeck, and Resolved, That his Behaviour proceeded from an Inadvertency, and not from any evil Design. Ordered, That Mr. Eilbeck be again called to the Bar, and that he be acquainted from the Chair, with the Sense that this House sustained of his Conduct; and that it be recommended to him to act with more Circumspection in his Station for the future. p. 128

Mr. Eilbeck was called to the Bar, and Mr. Speaker gave him the following Charge; viz.

Sir,

From what you yourself have declared at the Bar, as well as from the Report read to you, it plainly appears, that the Magistrates did not use that Caution which is absolutely necessary, in all Cases for the due Administration of Justice, which consists in hearing coolly, fully, and impartially, both Sides of the Question, before they proceed to Judgment; it being certain, that the Rule of doing Justice is violated, whenever a Determination is had upon hearing one Side of the Question only. Fines ought to be made agreeable to the Nature of the Crimes complained of; and are to be moderated, whenever a Breach of the Laws have arose by uncommon Aggravation: But of this you refus'd to enquire, and therein greatly erred; stretching your Power to the utmost Limits of the Law.

This Honourable House therefore recommends to you more Caution and Circumspection for the future, and hopes you'll give Occa-

L. H. J. Liber No. 47 May 27

sion for no more Complaints of the like Nature hereafter. There are some Fees which have arose by reason of this Enquiry, which it's expected you'll pay, and on which you are discharged from further Attendance.

Ordered, That Col. King and Mr. Wootton do tax the Fees due to the Officers of this House from Mr. Eilbeck.

Col. King delivers to Mr. Speaker the following Report; viz.

In Obedience to the Order of your Honourable House, we have proceeded to tax the several Fees and Charges following, as due to the Officers of your House, and others, on the Complaint of Peter Dent, against Mr. Thomas Stone, Mr. William Eilbeck, Mr. Daniel of St. Thomas Jenifer, and Mr. Allen Davis, Justices of Charles County; so far as relates to Mr. William Eilbeck.

p. 129

To the Clerk, for one Summons this Session	0	3	0
To Ditto, for Copy Report one 4th Part	0	1	3
To Ditto, for 1 4th Part of 6 Summons's, for Evidences to attend last Session	0	4	6
To Ditto, for one Summons last Session	0	3	0
To the Serjeant, for one 5th Part of 4 l. for a Messenger to serve several Summons's, &c	0	16	0
To Ditto, for 1 4th Part of 2 l. for a Messenger last Session	0	10	0
To Ditto, for one Summons this Session	0	3	0
To Samuel Turner, for two Days Attendance as an Evidence last Session, and itinerant Charges, 1 4th Part	0	6	0
To Samael Glaze, for Ditto	0	6	0
To Hatch Dent, for Ditto	0	6	0
To William Hungerford, for Ditto	0	6	0
To John Wood, for Ditto	0	6	0
To Peter Dent, for 1 4th Part of 1 l. 12 s. for 4 Days Attendance as an Evidence last Session, and itinerant Charges	0	8	0
	£. 3	18	9

All which is humbly submitted to the Consideration of your Honourable House.

R. King,
Turnor Wootton.

The House adjourns until Tomorrow Morning at 9 of the Clock.

May 28

Tuesday Morning, May 28, 1751.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

Mr. Handy hath Leave of the House to go home.

L. H. J. Liber No. 47 May 28

Mr. Lloyd, Mr. John Goldsborough and Major Selby appeared in the House.

The Report from the Committee of Aggrievances, &c. referred for Consideration this Day, is referred for Consideration on Friday the 31st Instant.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act reviving an Act entituled, An Act for the speedy Recovery of small Debts out of Court, before a single Justice of the Peace; which was read the first Time, and ordered to lie on the Table.

The Bill entituled, An Act to enable the Vestrymen and Churchwardens of Durham Parish in Charles County, &c. to sell two Tracts of Lands, &c. and the Bill entituled, An Act to enable the Justices of Charles County to levy a Sum of Tobacco on the taxable Inhabitants of Port Tobacco Parish, &c. were severally read the second Time, and passed, and sent to the Upper House by Mr. Smallwood and Mr. Baker.

p. 130

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to make the Testimony of Convicted Persons legal against Convicted Persons; and a Bill entituled, An Act to impower the Justices of Prince George's County Court to treat with Anne Darnall, Widow, for her Claim of Dower to the Land on which that County Court-House is built; which Bills were severally read the first Time, and ordered to lie on the Table.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to prevent the Sale of trashy Tobacco; Indorsed, "By the Upper House of Assembly, May 28, 1751: Read the second Time, and will pass." Which Bill was here read, and passed for Ingrossing.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to prevent the destroying small Fish in Water-Pots; which was read the first Time, and ordered to lie on the Table.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry Inhabitants of Coventry Parish, lying in Worcester and Somerset Counties, praying Leave to build a Chapel of Ease, &c. A Petition of sundry Inhabitants of Talbot County, praying that Bruff's Warehouse be made a single Inspection; and Emerson's and the Old Field Landing Houses erected into a separate Inspection: And the Petition of the Inhabitants of the City of Annapolis, praying Leave to bring in a Bill to sell the old Market-House, and the Piece of Ground whereon it stands; and to apply the Money arising by such Sale towards purchasing another Piece of Ground more convenient in the said City, and to build another

L. H. J. Liber No. 47 May 28

Market-House: Severally Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House."

The Petition of the Inhabitants of the City of Annapolis was read and granted.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Mr. William Smith and Mr. Baxter appeared in the House.

p. 131 The Bill entituled, An Act continuing an Act entituled, An Act for Punishment of Horse-Stealers, &c. The Bill entituled, An Act continuing an Act entituled, An Act for the more effectual Punishment of certain Offenders, &c. The Bill entituled, An Act continuing an Act entituled, A Supplementary Act to an Act entituled, An Act laying an Imposition on Negroes, &c. The Bill entituled, An Act continuing an Act entituled, An Act to exempt Persons appearing at Musters from Arrests, &c. The Bill entituled, An Act continuing an Act entituled, An Act to enable the several County Clerks, &c. to remove Records, &c. The Bill entituled, An Act continuing an Act entituled, An Additional Supplementary Act to the Act entituled, An Act relating to Servants and Slaves: The Bill entituled, An Act continuing an Act entituled, An Additional and Explanatory Act to the Act entituled, An Act impowering the Commissioners of the County Courts to levy and raise Tobacco, &c. The Bill entituled, An Act continuing an Act entituled, An Act to prevent certain Evils and Inconveniencies attending the Sale of strong Liquors, &c. near the yearly Meetings of the People called Quakers, &c. And the Bill entituled, An Act to oblige Attorneys to prove their List of Fees, &c. Were severally read the second Time and passed, and sent to the Upper House by Mr. Waggaman and Mr. Heighe.

Mr. Key delivers to Mr. Speaker the following Report; viz.

To the Honourable the Lower House of Assembly.

May it please your Honours,

Your Committee, in Obedience to the Order of the House, have inspected the Machine invented and shewn by Mr. Thomas Sparrow to them, and take Leave to Report, That it appears to your Committee to be an ingenious as well as useful Contrivance; and, in Places of the Province proper for it, may be found to be of great Advantage to many Inhabitants, and promote more generally the Catching and Curing of Fish (with which our Rivers are known to abound), fit for Export. All which is humbly submitted to the Consideration of the House.

Signed per Order. Beale Nicholson, Clerk to the Committee.

The Petition of sundry Inhabitants of Coventry Parish, lying in Worcester and Somerset Counties, was read and granted.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker an Ingrossed Bill entituled, An Act to prevent the Sale of Trashy Tobacco; which was read and assented to, and sent to the Upper House with the Paper Bill, by Major Barnes and Mr. Stoddert. L. H. J. Liber No. 47 May 28

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bill entituled, An Act to prevent the Sale of Trashy Tobacco, Indorsed, "By the Upper House of Assembly, May 28, 1751. The Ingrossed Bill, whereof this is the Original, is read and assented to p. 132

"Signed per Order, J. Ross, Cl. Up. Ho."

Ordered, That Mr. Key and Mr. Wootton do acquaint his Excellency, that a Bill entituled, An Act to prevent the Sale of Trashy Tobacco, had passed both Houses, and lay ready for his Assent: They return, and acquaint Mr. Speaker they deliver'd the Message.

Edmund Jenings, Esq; from the Upper House, acquaints Mr. Speaker, that the Governor requires the Attendance of the Lower House.

Mr. Speaker left the Chair, and with the Members of the Lower House went to the Upper House, where his Excellency passed the Bill entituled, An Act to prevent the Sale of Trashy Tobacco into a Law in the usual Form.

Mr. Speaker (with the Members) returned to the Lower House, and resumed the Chair.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Wednesday Morning, May 29, 1751. May 29

The House met according to Adjournment: The Members were called, and all appeared as yesterday, except Capt. Handy. The Proceedings of yesterday were read.

On motion for Leave to bring in a Bill relating to Highways and Roads, Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The Petition of James Hutchings, of Kent Island, was read and rejected.

Col. R. J. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to aid the Title of Purchasers of Lots in Princess Anne Town in Somerset County; which was read the first Time, and ordered to lie on the Table.

Col. R. J. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to annex certain extra-parochial Lands, lying between Nassaongo Creek and Accongo Branch in Worcester County, to the Parish of Allhallows; which was read the first Time, and ordered to lie on the Table.

L. H. J. Liber No. 47 May 29 p. 133

Daniel Dulany, Esq, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to enable the Vestrymen and Churchwardens of Durham Parish, in Charles County, for the Time being, to sell two Tracts of Land, &c. The Bill entituled, An Act continuing an Act entituled, An Act for Punishment of Horse-stealers, &c. The Bill entituled, An Act continuing an Act entituled, An Act for the more effectual Punishment of certain Offenders, &c. The Bill entituled, An Act continuing an Act entituled, A Supplementary Act to an Act entituled, An Act laying an Imposition on Negroes, &c. The Bill entituled, An Act to levy a Sum of Tobacco on the taxable Inhabitants of Port Tobacco Parish, &c. The Bill entituled, An Act continuing an Act entituled, An Act to exempt Persons attending at Musters from Arrests, &c. The Bill entituled, An Act continuing an Act entituled, An Act to enable the several County Clerks to remove some of the Records, &c. The Bill entituled, An Act continuing an Act entituled, An Additional Supplementary Act to the Act entituled, An Act relating to Servants and Slaves: The Bill entituled, An Act continuing an Act entituled, An Additional and Explanatory Act to the Act entituled, An Act impowering the Commissioners of the County Courts to levy and raise Tobacco, &c. And the Bill entituled, An Act continuing an Act entituled, An Act to prevent certain Evils and Inconveniencies attending the Sale of strong Liquors, &c. near the yearly Meetings of the People called Quakers, &c. Which Bills were severally Indorsed, "By the Upper House of Assembly, May 29, 1751: Read the second Time, and will pass."

Which Bills were severally read here, and passed for Ingrossing.

Ordered, That Mr. Jonás Green, do Print, with all convenient Speed, the Act entituled, An Act to prevent the Sale of Trashy Tobacco; in order that the same be notified to the Inhabitants of the remote and other Counties of this Province, with the utmost Dispatch; and that he do charge the same to the Public.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Capt. Addison appears in the House.

The Bill entituled, An Act reviving an Act entituled, An Act for the speedy Recovery of small Debts, &c. And the Bill entituled, An Act to make the Testimony of Convicted Persons legal against Convicted Persons: Were severally read the second Time and passed, and sent to the Upper House by Mr. Sulivane and Capt. Travers. p. 134

The Bill entituled, An Act to prevent the destroying small Fish, &c. was read the second Time, and will not pass.

Mr. Key delivers to Mr. Speaker a Bill entituled, An Act to enable the Justices of Charles County to assess and levy on the taxable Inhabitants of that Part of the late Reverend Mr. Donaldson's Parish, which lies in the said County, 55000 lb. of Tobacco; and for other Purposes therein mentioned: Which was read the first Time, and ordered to lie on the Table. L. H. J. Liber No. 47 May 29

On motion, Leave given to bring in a Bill, to enable Persons to keep their Accounts of Corn and other Grain, &c. Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

Mr. Key, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the Tryal of all Matters of Fact, in the several Counties where they have arisen or shall arise; which was read the first Time, and ordered to lie on the Table.

Col. R. J. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, A Supplementary Act to an Act entituled, An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers; which was read the first Time, and ordered to lie on the Table.

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for issuing Writs of Replevin, &c. And the Bill entituled, An Act to oblige Attorneys to prove their Lists of Fees, &c.

Which Bills were severally Indorsed, "By the Upper House of Assembly, May 29, 1751. Read the second Time, and will not pass."

On motion that a Bill be brought in, to establish the Records of the Especial Court in Anne Arundel County, held by Virtue of an Act entituled, An Act for the Relief of Anne Arundel County, and all Persons concerned in the Records thereon, lately burnt; Leave given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, A Supplementary and Explanatory Act to the Act entituled, An Act for the Ease of the Inhabitants in examining Evidences, &c. Indorsed, "By the Upper House of Assembly, May 29, 1751: Read the second Time, and will pass, with the following Amendments: Page 1, from the Word Notwithstanding in Line 15, to the Word And in Line 21, to be omitted. The Words hath heretofore, or, in the same Line, to be omitted. p. 135

"Signed per Order, J. Ross, Cl. Up. Ho."

And the Bill entituled, An Act to prohibit the raising of Swine in the Town of Bladensburg, &c. Indorsed, "By the Upper House of Assembly, May 29, 1751: Read the second Time, and will pass, with the following Amendment: In the 14th Line, instead of the Word Informer, put the Lord Proprietary, for the Support of Government. Signed per Order, J. Ross, Cl. Up. Ho.

L. H. J. Liber No. 47 May 29 The Bill entituled, An Act to prohibit the raising of Swine in the Town of Bladensburg, &c. was read, with the Amendment proposed by the Upper House; to which Amendment this House doth not agree.

The House adjourns until Tomorrow Morning at 9 of the Clock.

May 30 Thursday Morning, May 30, 1751.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings were read.

Mr. J. J. Mackall appeared in the House.

Dr. Carroll, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to establish the Special Court Records of Anne Arundel County; which was read the first Time, and ordered to lie on the Table.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to make the Testimony of Convicted Persons legal against Convicted Persons; Indorsed, "By the Upper House of Assembly, May 30, 1751. Read the second Time, and will pass."

Which Bill was read here, and passed for Ingrossing.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders; and a Supplementary Act to an Act entituled, An Act to prevent the tumultuous Meeting, and other Irregularities, of Negroes and other Slaves, and directing the Manner of trying Slaves: Which was read the first Time, and ordered to lie on the Table.

p. 136

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to direct and prescribe the Form of an Oath, to be taken by the several Officers of this Province, before they take upon themselves to act in any Office; Which was read the first Time, and ordered to lie on the Table.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Col. Colvill delivers to Mr. Speaker the following Report; viz. (See page 519)

p. 137 On reading the said Report, the House concurs therewith.

Ordered, That the Clerk of this House do write to the several County Clerks of this Province, to make out fair and exact Accounts of all the Ordinary Licenses, granted by the respective Courts, be-

ginning at the Year 1740; mentioning the several Courts when granted, the Sums of Money paid, and who were Sheriffs at the Time of granting the said Licenses; together with an Account of the Fines and Forfeitures; and to transmit those Accounts forthwith to the Commissioners of the Paper Currency Office. L. H. J. Liber No. 47 May 30

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act making perpetual an Act entituled, An Act to prevent cutting up Tobacco Plants, destroying of Tobacco and Tobacco Houses, and for ascertaining the Punishment of Criminals guilty of the said Offences; which was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Friday Morning, May 31, 1751. May 31 p. 138

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

Mr. Nicholas Goldsborough appeared in the House.

The Report from the Committee of Grievances, brought into the House on the 22d Instant, and referred for Consideration this Day, being read and taken into Consideration, the House concurs therewith.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

On motion for Leave to bring in an Explanatory Bill to the Act entituled, An Act to repeal a certain Act of Assembly entituled, An Act to prevent the Growth of Popery within this Province; Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly.

The Bill entituled, An Act for Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise: The Bill entituled, An Act for the more effectual Punishment of Negroes, &c. and to a Supplementary Act to the Act to prevent the tumultuous Meeting and other Irregularities of Negroes, &c. The Bill entituled, An Act to establish the Special Court Records of Anne Arundel County: And the Bill entituled, A Supplementary Act to an Act entituled, An Act for quieting Possessions, &c. Were severally read the second Time and passed, and were sent to the Upper House by Col. R. J. Henry and Capt. Addison.

The Bill entituled, An Act to direct and prescribe the Form of an Oath, to be taken by the several Officers, &c. The Bill entituled, An Act making perpetual an Act entituled, An Act to prevent cutting up

L. H. J. Liber No. 47 May 31

Tobacco Plants, &c. The Bill entituled, An Act to enable the Justices of Charles County to assess and levy, &c. And the Bill entituled, An Act to aid the Title of Purchasers of Lots in Princess Anne Town, &c. Were severally read the second Time and passed, and were sent to the Upper House by Col. J. Henry and Mr. Sulivane.

p. 139

Capt. Crabb delivers to Mr. Speaker a Bill entituled, An Act for destroying Wolves in Frederick County; which was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 9 of the Clock.

June 1

Saturday Morning, June 1, 1751.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

Mr. Wilkinson hath the Leave of the House to go home.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Explanatory Act to the Act entituled, An Act to repeal a certain Act of Assembly entituled, An Act to prevent the Growth of Popery within this Province; which was read the first Time, and ordered to lie on the Table.

On reading the first Time the Bill entituled, An Act for the marking of Highways, and making the Heads of Rivers, Creeks, Branches, and Swamps, passable for Horse and Foot: The Question was put, Whether the County Magistrates shall have Power to lay out new public Roads; or Not? Resolved, in the Affirmative.

For the Affirmative.

Mr Bond	Mr R. J. Henry	Mr Addison
Mills	Waggaman	Sprigg
Key	Sulivane	Murdock
Wilmer	Travers	Dulany
Heighe	Colvill	Scarborough
B. Mackall	Hyland	J. Henry
Smallwood	Baker	Crabb
Stoddert	Baxter	Chaplain
King	W. Smith	Prather

For the Negative.

Mr Barnes	Mr N. Goldsborough	Mr Hopper
N. Smith	J. Goldsborough	Wilkinson
Carroll	Lloyd	Davis
Bordley	Oldham	Tillotson
J. J. Mackall	Hooper	Robins
Lee	Lecompte	Selby
Wilson	Wootton	

A Petition of Thomas Franklin, of Baltimore County, Gentleman, preferred to this House, complaining, That the Sheriff of said County had, contrary to Law, returned Mr. Walter Tolley a Delegate to serve in this Assembly, in the Room and Place of him the said Petitioner; and praying that the Sheriff of the said County be ordered to attend this House, with the Polls taken for the Petitioner and the several Candidates, at the said Election; was read, and ordered to lie on the Table. L. H. J. Liber No. 47 June 1 p. 140

Col. Sprigg, from the Committee of Elections and Privileges, delivers to Mr. Speaker the following Report; viz.

By the Committee of Elections and Privileges, June 1, 1751.

Your Committee having inspected the Writs directed to the Sheriff of Queen Anne's County and Baltimore County, for electing Deputies and Delegates to serve in this General Assembly:

Do find, That Mr. John Tillotson, Member of Queen Anne's County, is duly returned:

That Mr. John Matthews and Walter Tolley, Members of Baltimore County, are duly returned.

Your Committee beg Leave to represent to your Honourable House, That Mr. Walter Tolley acted as an Inspector until the first Day of December, in the Year of our Lord 1749.

All which is submitted to the Consideration of your Honourable House.

Signed per Order, Thomas Harwood, junior,
Clerk of the Committee.

On reading the said Report, the House concurs therewith; and Resolved, That the Election of the said Mr. Walter Tolley is void, inasmuch as it appears that he hath acted as an Inspector, within two Years next before the said Election.

On reading the Petition of Mr. Thomas Franklin; Ordered, That Thomas Sheredine, Esq; Sheriff of Baltimore County, do attend this House on Monday the third Day of June Instant; and that he bring with him the Poll taken for the said Thomas Franklin, and the several Polls taken by him the said Sheriff, for the several Candidates at the last Election had for the said County.

The Bill entituled, An Act to annex certain Extra-parochial Lands, &c. was read the second Time, and passed.

The Governor communicates to Mr. Speaker the following Message; viz.

Gentlemen of the Lower House of Assembly, p. 141

In your Address relating to the Papers laid before you from the Governors of New York and Pennsylvania, you observe, That those two Governments are greatly concerned in Trade with the several Nations of Indians in Alliance with the English, whereas we neither

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receive any Benefit from Traffick, or are provided with suitable Presents for them, That therefore you cannot consistent with your Duty, increase any Charge upon your Constituents for this Purpose; however, I think it my Duty to observe to you, That many Warriors of the Six Nations often pass through this Province in order to make War on the Catawbaws, and expect that we and our neighbouring Colonies should provide for them in their March, and if they should be refused, it cannot be doubted, but that they would take it by Violence: And I am apprehensive, That as the Governments to the Southward as well as the Northward of us, allow those Warriors Provisions in their March, that were they to be refused the like Allowance in this Province, they would consider such Refusal as a Violation of the Treaties with us, and be induced to treat our back Inhabitants as Enemies, and how far the Consequence may reach, cannot be easily foreseen: It is easy to prevent any Evils of this Kind, by making a proper Provision for those People at the Public Expence, which is but a mere Trifle, in Comparison with the Safety of the People. Sam: Ogle

Which was read, and ordered to lie on the Table.

The House adjourns until Monday Morning 8 of the Clock.

June 3

Monday Morning, June 3, 1751.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. Wilkinson and Mr. Baxter. The Proceedings of Saturday were read.

Col. Henry, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for regulating the Interest upon Tobacco and Money; which was read the first Time, and ordered to lie on the Table.

Mr. Bordley delivers to Mr. Speaker a Bill entituled, An Act for erecting a new Market-House in the City of Annapolis; which was read the first Time, and ordered to lie on the Table.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

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On motion of a Member, the Question was put, Whether the following Question shall be now put; viz. Whether Mr. Robert Yeates be discharged from any further Attendance on this House; or Not? Resolved in the Negative.

For the Negative.

Mr Mills	Mr Wilson	Mr Wootton
N. Smith	King	Addison
Wilmer	Waggaman	Hopper

Mr Carroll	Mr N. Goldsborough	Mr Davis	L. H. J. Liber No. 47 June 3
Worthington	J. Goldsborough	Tillotson	
J. J. Mackall	Lloyd	Robins	
Heighe	Oldham	Crabb	
B. Mackall	Sulivane	Chaplain	
Smallwood	Lecompte	Prather	
Stoddert	Hyland		
Lee	W. Smith		

For the Affirmative.

Mr Bond	Mr Travers	Mr Dulany
Key	Colvill	Selby
Barnes	Baker	Scarborough
Bordley	Sprigg	J. Henry
R. J. Henry	Murdock	
Hooper	Gordon	

Ordered, That the Committee of Grievances and Courts of Justice do state the Facts, complained of against Mr. Robert Yeates, and prepare an Address to his Excellency relating thereto, and bring in the same.

On reading the second Time the Bill entituled, An Explanatory Act to the Act entituled, An Act to repeal a certain Act of Assembly entituled, An Act to prevent the Growth of Popery within this Province; the Question was put, Whether the said Bill shall pass; or Not? Resolved in the Affirmative.

For the Affirmative.

Mr N. Smith	Mr Waggaman	Mr W. Smith
Carroll	N. Goldsborough	Addison
Bordley	J. Goldsborough	Murdock
J. J. Mackall	Oldham	Hopper
Heighe	Hooper	Davis
B. Mackall	Lecompte	Tillotson
Stoddert	Travers	Robins
Lee	Hyland	Crabb
Wilson	Baker	

For the Negative. p. 143

Mr Bond	Mr King	Mr Gordon
Mills	R. J. Henry	Dulany
Key	Lloyd	Selby
Barnes	Sulivane	Scarborough
Wilmer	Colvill	J. Henry
Worthington	Wootton	Chaplain
Smallwood	Sprigg	Prather

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Mr. Thomas Reynolds, a Delegate returned to serve in this present General Assembly for Calvert County, appeared in the House. Ordered, That Mr. J. J. Mackall and Mr. Heighe do go with Mr. Reynolds to the Upper House to see him qualified: They return and acquaint Mr. Speaker, they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

The Bill entituled, An Explanatory Act to the Act entituled, An Act to repeal a certain Act of Assembly entituled, An Act to prevent the Growth of Popery within this Province; was Indorsed, "Read the second Time, and passed;" and sent to the Upper House, with the Bill entituled, An Act to annex certain Extra-parochial Lands, lying between Nassaongo Creek and Accongo Branch in Worcester County, &c. by Capt. Hopper and Mr. Wilmer.

Ordered, That the Paper Advertisement tending to a Breach of the Privilege of this House, fixed on the Door of this House on the 24th Day of May last, be referred for Consideration on the Morrow Morning.

The House adjourns until Tomorrow Morning at 8 of the Clock.

June 4

Tuesday Morning, June 4, 1751.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

The House proceeded to take into Consideration the Petition of Mr. Thomas Franklin; and thereupon the Question was put, Whether Mr. Speaker shall issue his Warrant to order a new Writ of Election to be made out, directed to the Sheriff of Baltimore County, to elect a Delegate in the Room of Mr. Walter Tolley, whose Election is declared void; or Whether the House do receive the Candidate who had a Majority of legal Votes next to Mr. Tolley, at the last Election for Baltimore County? Resolved, That the House do receive the Candidate who had a Majority of legal Votes next to Mr. Tolley, at the last Election for Baltimore County.

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The Sheriff of Baltimore County, in Pursuance of the Order of the House, attended, and was called to the Bar, and produced the original Polls taken by him at the last Election for Baltimore County; and on Examination of the same, it appears, that Mr. Thomas Franklin had the Majority of legal Votes next to Mr. Tolley: Ordered, That the Sheriff aforesaid do erase out the Name of Walter Tolley, mentioned in the Indenture annexed to the Writ of Election aforesaid, and insert the Name of Thomas Franklin in lieu thereof; which was accordingly done.

Mr. Franklin appeared in the House. Ordered, That Mr. William Smith and Mr. Lecompte do go with Mr. Franklin to the Upper

House, to see him qualified: They return, and acquaint Mr. Speaker they saw Mr. Franklin qualified in the usual Manner. The Gentleman took his Seat in the House. L. H. J. Liber No. 47 June 4

The Bill entituled, An Act for destroying Wolves in Frederick County, was read the second Time and passed, and sent to the Upper House by Mr. Crabb and Mr. Chaplain.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act to repeal Part of an Act entituled, An Act causing Grand and Petit Jurors, and Witnesses, to come to the Provincial and County Courts, and ascertaining their Allowances: A Bill entituled, An Act to oblige the Naval Officers to give sufficient Bonds for what Moneys they shall receive belonging to the Public: A Bill entituled, An Act for Encouragement and Preservation of the Breed of Sheep: And a Bill entituled, An Act continuing an Act entituled, An Act for the better Relief of poor Debtors. Which Bills were severally read the first Time, and ordered to lie on the Table.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to enable the Justices of Charles County to assess and levy on the taxable Inhabitants of Part of the late Mr. Donaldson's Parish 55000 lb. of Tobacco, &c. The Bill entituled, An Act to annex certain Extra-parochial Lands, lying between Nassaongo Creek and Accongo Branch, &c. The Bill entituled, An Act making perpetual an Act entituled, An Act to prevent cutting up Tobacco Plants, &c. Severally Indorsed, "By the Upper House of Assembly, June 4, 1751. Read the second Time, and will pass." The Bill entituled, An Act to establish the Special Court Records of Anne Arundel County, Indorsed, "By the Upper House of Assembly, June 4, 1751. Read the second Time and will pass with the following Amendments: In Line 4, Page 2, after the Word Judgment put Deeds: In Line 6 of the same Page, after the Word aforesaid insert or the Notice directed by the said recited Act had been given." And the Bill entituled, A Supplementary Act to an Act entituled, An Act for quieting Possessions, enrolling Conveyances, &c. Indorsed, "By the Upper House of Assembly, June 4, 1751. Read the second Time, and will pass with the following Amendments: In Page 1, Line 9, the Words Deed Indented of Bargain and Sale only to be omitted; and in the Place thereof insert these Words, any Deed whatsoever: In Line 13 of the same Page, of Bargain and Sale Indented to be omitted, and in the Place thereof put and be examined: In Line 15, after the Word Dominions, insert whether she doth make her Acknowlegement of of the same willingly and p. 145

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freely, and without being induced thereto by Fears or Threats or ill Usage by her Husband, or Fear of his Displeasure: Page 2, Line 5, the Words Bargain and Sale to be omitted, and the Word Deed to be inserted."

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to aid the Title of Purchasers of Lots in Princess Anne Town, &c. Indorsed, "By the Upper House of Assembly, June 4, 1751, Read the second Time, and will pass." Which Bill was here read, and passed for Ingrossing.

The Bill entituled, An Act for regulating the Interest upon Tobacco and Money, was read the second Time and passed.

The Bill entituled, An Act to enable the Justices of Charles County to assess and levy on the taxable Inhabitants of the late Mr. Donaldson's Parish 55000 lb. of Tobacco, &c. The Bill entituled, An Act to annex certain Extra-parochial Lands, lying between Nassaongo Creek and Accongo Branch, &c. And the Bill entituled, An Act making perpetual an Act entituled, An Act to prevent cutting up Tobacco Plants, &c. Were severally read here, and passed for Ingrossing.

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The Bill entituled, An Act to establish the Special Court Records of Anne Arundel County, was read, with the Amendments proposed by the Upper House, and passed for Ingrossing.

The Bill entituled, A Supplementary Act to an Act entituled, An Act for quieting Possessions, &c. was read, with the Amendments proposed by the Upper House; to which Amendments this House doth not agree.

The Bill entituled, A Supplementary Act to the Act entituled, An Act for the Ease of the Inhabitants in examining Evidences, &c. was read, with the Amendments proposed by the Upper House; to which Amendments this House doth not agree.

The Order of the Day being read, the House took into Consideration the Paper Advertisement fixed up at the Door of this House on the 24th of May last, by Charles Carroll, Esq; the House being then sitting; and on reading and considering the same, the Question was put, Whether the said Advertisement doth contain scandalous and malicious Reflections upon the Proceedings of this House, and a Member thereof; or Not? Resolved in the Affirmative.

For the Affirmative.

Mr Bond	Mr Wilson	Mr Franklin
Mills	King	Wootton
N. Smith	Waggaman	Addison
Wilmer	N. Goldsborough	Sprigg
Worthington	J. Goldsborough	Murdock
Bordley	Lloyd	Hopper

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Mr J. J. Mackall	Mr Oldham	Mr Davis
Heighe	Sulivane	Tillotson
B. Mackall	Hooper	Selby
Reynolds	Lecompte	J. Henry
Smallwood	Travers	Crabb
Stoddert	Hyland	Chaplain
Lee	W. Smith	Prather

For the Negative.

Mr Key	Mr R. J. Henry	Mr Scarborough
Barnes	Gordon	
Colvill	Dulany	

The House adjourns until Tomorrow Morning at 8 of the Clock.

Wednesday Morning, June 5, 1751.

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The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

On a further Consideration of the Advertisement set up by Charles Carroll, Esq; Resolved, That the Advertisement fixed up at the Door of this House by Charles Carroll, Esq; a powerful and leading Roman Catholic, contains Matters scandalous and malicious, reflecting upon the Proceedings of this House in general, and a Member thereof in particular; and is a Violation of the Rights and Privileges of this House.

Thereupon, Ordered, That the said Charles Carroll, Esq; be taken into Custody by the Serjeant attending this House.

On motion of a Member, that the Word false be inserted in the above Resolve; the Question was put, Whether the Word false shall be inserted in the above Resolve; or Not? Resolved in the Negative.

For the Negative.

Mr Bond	Mr King	Mr Baker
Mills	R. J. Henry	W. Smith
Key	J. Goldsborough	Franklin
Barnes	Lloyd	Sprigg
N. Smith	N. Goldsborough	Murdock
Wilmer	Sulivane	Dulany
Heighe	Lecompte	Scarborough
Reynolds	Travers	J. Henry
Smallwood	Colvill	Crabb

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For the Affirmative.

Mr Worthington	Mr Wilson	Mr Wootton
J. J. Mackall	Waggaman	Hopper
B. Mackall	Oldham	Davis
Stoddert	Hooper	Tillotson
Lee	Hyland	Prather

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for processioning of Lands in order to perpetuate the Bounds thereof, and for other Purposes therein mentioned; which was read the first Time, and ordered to lie on the Table.

Capt. Crabb delivers to Mr. Speaker a Bill entituled, An Act for laying out and erecting a Town on Potowmack River, above the Mouth of Rock Creek, in Frederick County; which was read the first Time, and ordered to lie on the Table.

On reading the second Time the Bill entituled, An Act to repeal Part of an Act entituled, An Act causing Grand and Petit Jurors
p. 148 and Witnesses to come to the Provincial and County Courts, &c. the Question was put, Whether the said Bill do pass, or Not? Resolved in the Affirmative.

For the Affirmative.

Mr Key	Mr Lee	Mr Gordon
N. Smith	Wilson	Hopper
Wilmer	Oldham	Davis
Carroll	Sulivane	Tillotson
J. J. Mackall	Colvill	Robins
Heighe	Wootton	Selby
Reynolds	Addison	Prather
Smallwood	Sprigg	
Stoddert	Murdock	

For the Negative.

Mr Bond	Mr N. Goldsborough	Mr Bordley
Mills	J. Goldsborough	Franklin
Barnes	Lloyd	Matthews
Worthington	Hooper	Scarborough
B. Mackall	Lecompte	J. Henry
King	Travers	Crabb
R. J. Henry	Hyland	Chaplain
Waggaman	W. Smith	Dulany

Which Bill was Indorsed, " Read the second Time, and will pass; " and was sent to the Upper House, with the Bill entituled, An Act

for regulating the Interest upon Money and Tobacco, by Capt. Lee and Mr. Heighe. L. H. J. Liber No. 47 June 5

On reading the Bill entituled, An Act for marking the Highways, &c. the Question was put, Whether Causeways shall be made ten Feet or twelve Feet wide? Resolved, That the Causeways be ten Feet wide.

For Ten Feet.

Mr Bond	Mr King	Mr Hyland
Mills	R. J. Henry	Baker
Barnes	Waggaman	W. Smith
Carroll	N. Goldsborough	Hopper
J. J. Mackall	J. Goldsborough	Davis
Heighe	Lloyd	Robins
Reynolds	Sulivane	Scarborough
Smallwood	Hooper	J. Henry
Lee	Lecompte	Chaplain
Wilson	Travers	

For Twelve Feet.

Mr Key	Mr Colvill	Mr Gordon
N. Smith	Franklin	Dulany
Northington	Matthews	Tillotson
Bordley	Wootton	Selby
B. Mackall	Addison	Crabb
Stoddert	Sprigg	Prather
Oldham	Murdock	

Col. Lloyd, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for destroying Wolves in Frederick County, Indorsed, "By the Upper House of Assembly, June 5, 1751. Read the second Time, and will pass." Which Bill was here read, and passed for Ingrossing. p. 149

On Progression in reading the Bill entituled, An Act for marking the Highways, &c. the Question was put, Whether the Clause directing the Owners of Land to be paid for Trees cut down by Overseers of the Highways, for making and repairing Bridges, be struck out; or Not? Resolved in the Affirmative.

For the Affirmative.

Mr Bond	Mr Lee	Mr W. Smith
Mills	Wilson	Matthews
Key	King	Dulany
Barnes	R. J. Henry	Hopper
Wilmer	Waggaman	Davis
J. J. Mackall	Sulivane	Tillotson

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Mr Heighe	Mr Hooper	Mr Scarborough
B. Mackall	Travers	Henry
Reynolds	Colvill	Crabb
Smallwood	Hyland	Chaplain
Stoddert	Baker	

For the Negative.

Mr N. Smith	Mr Lloyd	Mr Murdock
Carroll	Oldham	Gordon
Worthington	Lecompte	Robins
Bordley	Wootton	Selby
N. Goldsborough	Addison	Prather
J. Goldsborough	Sprigg	

The Bill entituled, An Act for marking the Highways, &c. was read the second Time; and the Question was put, That the said Bill be recommitted for Amendments: Resolved in the Negative.

The Question was put, Whether the Bill entituled, An Act for marking the Highways, &c. do pass, or Not? Resolved in the Negative.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

The Serjeant at Arms attending this House acquaints Mr. Speaker, that in Obedience to the Order of this House, he had taken into his Custody the Body of Charles Carroll, Esq;

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the more effectual Punishment of Negroes, &c. Indorsed. "By the Upper House of Assem-
p. 150 bly: Read the second Time, and will pass." Which Bill was read here, and passed for Ingrossing.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the following Bill:

An Act to direct and prescribe the Form of an Oath, to be taken by the several Officers of this Province, before they take upon themselves to act in any Office.

Whereas it is highly reasonable that the several Officers within this Province should act under some fixed and stated Form of an Oath, for the due Execution of their several and respective Offices.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the several Officers hereafter mentioned,

on or before the 29th Day of September next, or before they or any of them enter on their several Offices respectively, shall, and they are hereby required to take the following Oaths before some Provincial or County Magistrate, in Manner and form following; that is to say, L. H. J. Liber No. 47 June 5

The Oath of a Counsellor,

I A. B. as a Member of his Lordship the Right Honourable the Lord Proprietary his Council within this Province, do swear, that I will be true and faithful unto his said Lordship, the true and absolute Proprietary of this Province of Maryland, and to his Heirs and Successors, and him and them, and his and their Rights, Royal Jurisdiction and Seigniory, and every of them, into and over the said Province, and Islands thereunto belonging, will at all Times, during my Continuance in the said Trust as a Counsellor, defend and maintain to the utmost of my Power; the Peace and Welfare of the People of this Province I will ever procure, as far as I can; I will aid and assist the Administration of Justice in all Things to my Power; to none will I delay or deny Right, for Fear, Favour, or Affection; I will to my best Skill, and according to my Heart and Conscience, give good and faithful Counsel to the said Lord Proprietary, and his Heirs and Successors, and to his and their Lieutenant or chief Governor of this Province, when thereunto I shall be called: I will keep secret all Matters committed or revealed unto me as Secrets p. 151 in Council, or which shall be there moved or debated, secretly and faithfully declare my Mind and Opinion therein according to my Heart and Conscience: And if any of the said Treaties and Counsels shall touch any of the privy Counsellors of this Province, I will not reveal the same unto him so touched or concerned, but will keep the same secret, until such Time as by the Consent of the Lord Proprietary, or his Lieutenant or chief Governor here for the Time being, Proclamation may be made thereof. So help me God.

The Oath of Chancellor or Keeper of the Great Seal.

I A. B. do swear, that as Chancellor or Keeper of the Great Seal of this Province, I will well and truly serve his Lordship the Right Honourable the Lord Proprietary of this Province; and do equal Right to all his Majesty's Subjects, to the best of my Understanding, Skill and Knowlege: I shall not debar or hinder the Prosecution of Justice, nor take any Gift, Bribe, Reward, or Fee, for the delaying thereof; but will behave myself justly and truly, and hear, act, judge, decree, and determine all Matters that shall regularly come before me for Determination, according to Equity and good Conscience, according to the Duty of my said Office, and according to the best of my Knowledge, during my Continuance in the said Office, or until I shall by lawful Authority be discharged therefrom. So help me God.

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The Oath of Secretary.

I A. B. do swear, that I will be true and faithful to the Right Honourable the true and absolute Lord and Proprietary of this Province of Maryland; and him and them, and his and their Rights, Royal Jurisdictions, Seigniories, and all and every of them, into and over the said Province, and Islands thereunto belonging, will at all Times defend and maintain to the utmost of my Power, I will serve him faithfully as his Secretary in the said Province: To none will I wittingly or willingly delay or deny Right, in what belongeth to my Office or Offices to do: I will increase no Fees, but be content with the Fees limitted by Law. True Record I will keep of Judgments and other Matters to be by me recorded, without Falsification or Corruption, for Fear, Favour, or Malice, of any Person whatsoever, to the best of my Ability and Understanding. So help me God.

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The Oath of Commissary General.

You do swear, that as Commissary General of the Province of Maryland, in all Articles in his Lordship's Commission to you directed, you will do equal Right to the Poor as well as to the Rich, to the best of your Ability, Skill, and Knowlege, according to the Acts of Assembly of this Province, so far forth as they provide, and where they are silent, according to the Laws of England, as used and practised within this Province. You shall increase no Fees but be content with the Fees limited by Law. You shall not debar or hinder the Prosecution of Justice, nor take any Gift, Bribe, or Fee, for the delaying of Judgment; but shall behave yourself justly and truly to the best of your Understanding, so long as you shall continue in the said Office, or until you shall be by lawful Authority discharged therefrom. So help you God.

The Oath of Judge of the Admiralty.

You A. B. do swear, that as Judge of the Admiralty of the Province of Maryland, in all Articles in his Lordship's Commission to you directed, you will do equal Right to the Poor as well as to the Rich to the best of your Skill, Knowlege, and Understanding: You shall increase no Fees, but be content with the Fees limited by Law. You shall not debar or hinder the Prosecution of Justice, nor take any Gift, Bribe, Reward, or Fee, for the delaying thereof; but will behave yourself justly and truly, and hear, judge, and decree all Matters that shall regularly come before you for Determination, according to Law and Justice, and according to the Duty of your said Office, during your Continuance therein, or until you shall be by lawful Authority discharged therefrom. So help you God.

The Oath of Deputy Commissary.

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You do swear that you will well and truly serve his Lordship the Lord Proprietary, in the Office of Deputy Commissary of County, that you will do equal Right to the Poor and to the Rich, so far as concerns your said Office, and according to the Laws and Precedents of this Province: That you will not delay nor hinder p. 153 Right or Justice to any one in your Office: That you will increase no Fees, but be content with the Fees limited by law; and in all Things well and truly behave yourself in your Office aforesaid, to his Lordship, and all Persons concerned therewith, according to the best of your Skill and knowlege, until you shall be lawfully discharged thereof. So help you God.

The Oath of Sheriff.

You A. B. do swear, that you will well and truly serve his Lordship the Lord Proprietary in the Office of Sheriff of the County of That you will justly and honestly treat the People of your Bailiwick, and do Right as well to the Poor as Rich, in all that belongs to your Office: That you will increase no Fees, but be content with the Fees limited by Law: That you will do no Wrong to any Man for Gift, Favour, or Affection; but will duly execute, so far as you may, all Writs, Precepts, Process, and Warrants, as shall be to you directed by lawful Authority; and make true Return according to the Tenor thereof: And all other Things that to the said Office of Sheriff shall belong you will execute, to the best of your Knowlege, Skill, and Understanding, so long as you shall continue in the said Office, or until you shall be by lawful Authority discharged therefrom. So help you God.

The Oath of Coroner.

You A. B. do swear, that you will well and truly serve his Lordship the Lord Proprietary in the Office of Coroner of the County of and that you will do Right as well to the Poor as to the Rich, in all that belongs to your Office: That you will increase no Fees, but be content with the Fees limited by Law: That you will do no Wrong to any Person for Gift, Favour, or Affection; but will duly execute, so far as you may, all Things that relate to the Office of Coroner, to the best of your Knowlege, Skill and Understanding, so long as you shall continue in the said Office, or until you shall be by lawful Authority discharged therefrom. So help you God.

The Oath of Attorney General, or Clerk of Indictments.

You A. B. do swear, that you will faithfully serve his Lordship the Lord Proprietary of this Province, as Attorney of the said Lord Proprietary: That you will increase no Fees, but be content with

L. H. J. Liber No. 47 June 5 p. 154 the Fees limited by Law: And in all Things well and truly behave yourself in your said Office, according to the best of your Skill and Knowlege, until you shall be discharged thereof. So help you God.

And be it likewise-Enacted, That the several County Clerks within this Province, on or before the said twenty ninth Day of September next, or before they or any of them enter upon the Execution of their said Offices respectively, shall (after taking the Oath appointed by the Statute made in the first Year of the Reign of King William and Queen Mary (of blessed Memory), Chapter the twenty-first) immediately take the following Oath; that is to say,

I A. B. do swear, that I will faithfully serve his Lordship as Clerk of the County Court of A; and to none will I wittingly or willingly deny Right, in what belongeth to my Office to do: That I will increase no Fees, but be content with the Fees limited by Law: True Records I will keep, or cause to be kept, of all Judgments. Orders of Court, or other Matters to be by me recorded, without Falsification, according to the best of my Ability, Skill, and Knowlege. So help me God.

The Oath of Cryer.

You A. B. do swear, that you will well and faithfully serve his Lordship the Lord Proprietary, in the Office of Cryer of Court: And that you will increase no Fees, but be content with the Fees limited by Law: And in all Things well and truly behave yourself in your said Office, according to the best of your Skill and Knowlege, until you shall be lawfully discharged thereof. So help you God.

The Oath of Surveyor.

You A. B. do swear, that you will well and faithfully serve his Lordship the Lord Proprietary, in the Office of Surveyor of County: That you will increase no Fees but be content with the Fees limited by Law; and in all Things well and truly behave yourself in your said Office, according to the best of your Skill and Knowlege
p. 155 during your Continuance in the said Office, or until you shall be lawfully discharged thereof. So help you God.

Indorsed, "By the Upper House of Assembly, June 5, 1751. Read the second Time, and will not pass.

"Signed per Order, J. Ross, Cl. Up. Ho."

Col. Sprigg, from the Committee of Accounts, delivers to Mr. Speaker the Journal of Accounts; which was read and assented to, and sent to the Upper House by Col. Sprigg and five more.

On reading the second Time the Bill entituled, An Act for Encouragement and Preservation of the Breed of Sheep, the Question was put, that the said Bill be committed for Amendments. Resolved in the Negative.

The Question was put, Whether the Bill entituled, An Act for the Encouragement and Preservation of the Breed of Sheep, do pass; or not. Resolved in the Negative. L. H. J. Liber No. 47 June 5

On reading the second Time the Bill entituled, An Act for erecting a new Market-House in the City of Annapolis; the Question was put, that the said Bill do pass. Resolved in the Affirmative.

For the Affirmative.

Mr Bond	Mr Waggaman	Mr Murdock
Mills	N. Goldsborough	Gordon
Key	Lloyd	Dulany
Barnes	Sulivane	Hopper
Wilmer	Colvill	Scarborough
Bordley	Baker	J. Henry
Heighe	W. Smith	Crabb
B. Mackall	Matthews	Chaplain
R. J. Henry	Sprigg	

For the Negative.

Mr Smith	Mr King	Mr Wootton
Carroll	J. Goldsborough	Addison
Worthington	Oldham	Davis
J. J. Mackall	Hooper	Tillotson
Smallwood	Lecompte	Robins
Stoddert	Travers	Selby
Lee	Hyland	Prather
Wilson	Franklin	

The Bill entituled, An Act continuing an Act entituled, An Act for the better Relief of poor Debtors, was read the second Time; and the Question was put that the said Bill do pass. Resolved in the Affirmative.

For the Affirmative. p. 156

Mr Bond	Mr N. Goldsborough	Mr Murdock
Mills	J. Goldsborough	Gordon
N. Smith	Lloyd	Hopper
Wilmer	Oldham	Davis
Carroll	Sulivane	Tillotson
J. J. Mackall	Hooper	Robins
Heighe	Lecompte	Selby
B. Mackall	Travers	Scarborough
Reynolds	Colvill	J. Henry
Stoddert	Hyland	Crabb
Lee	Baker	Chaplain
Wilson	W. Smith	Prather
King	Matthews	
Waggaman	Addison	

L. H. J. Liber No. 47 June 5

For the Negative.

Mr Key	Mr Smallwood	Mr Wootton
Worthington	R. J. Henry	Sprigg
Bordley	Franklin	Dulany

Mr. Goldsborough delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed.

The House adjourns until Tomorrow Morning at 8 of the Clock.

June 6

Thursday Morning, June 6, 1751.

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of yesterday were read.

On motion, the Question was put, Whether the Bill entituled, An Act for processioning Lands, &c. be referred for a second Reading on the 10th Day of August next; or Not? Resolved in the Affirmative.

Ordered, That a Warrant be made out, directed to the Sheriff of Anne Arundel County, and Keeper of the Public Goal in the City of Annapolis, to take into his Custody the Body of Charles Carroll, Esq; of the City of Annapolis.

Which Warrant was accordingly made out, in the following Words; viz.

By the Lower House of Assembly, June 6, 1751.

You are hereby ordered to take into your Custody the Body of Charles Carroll, Esq; of the City of Annapolis, now in Custody of the Serjeant at Arms, for scandalously and maliciously reflecting upon the Proceedings of this House in General, and a Member thereof in particular; and for violating of the Rights and Privileges of this House; and him safe keep close confined, until he shall make
p. 157 a due Submission and be discharged from such Confinement by Order of this House: For which this shall be your sufficient Warrant.

Signed per Order, P. Hammond, Speaker.

To John Gassaway, Esq; Sheriff of Anne Arundel County, and Keeper of the Public Goal in the City of Annapolis.

Thereupon the Question was put, Whether the Words Public Goal be inserted in the Warrant; or Not? Resolved in the Negative.

For the Negative.

Mr Bond	Mr Lloyd	Mr Sprigg
Mills	Oldham	Murdock
Key	Sulivane	Gordon
Barnes	Travers	Dulany
N. Smith	Colvill	Robins

Mr Wilmer	Mr Hyland	Mr Selby	L. H. J. Liber No. 47 June 6
Worthington	Baker	Scarborough	
Bordley	W. Smith	J. Henry	
King	Franklin		
R. J. Henry	Matthews		

For the Affirmative.

Mr Carroll	Mr Wilson	Mr Hopper
J. J. Mackall	Waggaman	Davis
Heighe	J. Goldsborough	Tillotson
B Mackall	N. Goldsborough	Crabb
Reynolds	Hooper	Chaplain
Smallwood	Lecompte	Prather
Stoddert	Wootton	
Lee	Addison	

Ordered, That the Sheriff of Anne Arundel County do attend this House immediately.

The Sheriff of Anne Arundel County, by his Deputy, in Pursuance of the Order of the House, attended, and was called to the Bar. Mr. Speaker acquainted him, that by Order of the House, he do forthwith take into his Custody the Body of Charles Carroll, Esq; (now in Custody of the Serjeant at Arms); and him safe keep in close Confinement, until he shall make a due Submission, and be discharged from such Confinement by Order of this House.

The Sheriff was ordered to withdraw.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act to repeal Part of an Act entituled, An Act causing Grand and Petit Jurors and Witnesses to come to the Provincial and County Courts, &c. Indorsed, "By the Upper House of Assembly, June 6, 1751. Read the second Time and will pass, with the following Amendment: Before the Word Magistrates, in the 4th, 8th, and 9th Lines, put Delegates. p. 158

"Signed per Order, J. Ross, Cl. Up. Ho."

Which Amendment being here read, this House doth not agree thereto.

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for regulating the Interest upon Tobacco and Money, Indorsed, "By the Upper House of Assembly, June 6, 1751. Read the second Time and will pass, with the following Amendments: So far as relates to the Interest of Tobacco to be omitted; and in 11th Line of Page 2d, instead of the Words the Charge of the County, put the Lord Proprietary for Support of Government. Signed per Order, J. Ross, Cl. Up. Ho."

Which Amendments being here read, this House doth not agree thereto.

L. H. J. Liber No. 47 June 6 George Plater, Esq; from the Upper House, delivers to Mr. Speaker the Journal of Accounts, and the following Message; viz. (See page 524)

Capt. Addison delivers to Mr Speaker the following Report, viz.

By the Committee appointed to inspect the Arms, Ammunition, and Accounts relating thereto, June 6, 1751.

p. 159 Your Committee having inspected the Arms and Ammunition in the City of Annapolis, do find the same as follow; viz.

In the Council Chamber; 255 Muskets, 131 Carbines, 71 Pistols, 20 Trumpets, 7 Drums, 74 Swords, 44 Cartouch Boxes and Belts, 10 old ditto without Belts, 49 Halberts and Pikes, 46 Buckets and Slings, 50 Sword Blades, and 18 Daggers; all which are in good Order.

In the Room over the Conference Chamber; 72 old Muskets and Carbines much out of Repair, 23 Pair of Holsters, 145 Swords, 25 Bayonets, 65 Sword Belts, 16 old Cutlasses, 6 new Drums, 14 Pistols, 4 Chests of Match, 15 Pair of Drum-sticks: And also 10 Pair of Holsters and Pistols, and 10 Swords with Belts; which were returned from Capt. John Gassaway's Troop by Col. Charles Hammond, since the last Session.

In the Room under the Conference Chamber; 2700 lb. of Ball, 300 lb. of large Shot, and 980 lb. of Bar Lead.

In the Powder-House; 134 Sword Belts, 42 Carbine ditto, 1 Box of Flints, 109 Cags of Leaden Ball, and as much Leaden Ball in two old Casks to the Amount of 22 Cags, 7 half Barrels and 2 Pieces of half Barrels of old Powder, 5 Barrels and 7 half Barrels of new ditto.

We find, that since the last Session there has been delivered out of the Council Chamber, per Order of his Excellency Samuel Ogle, Esq; to William Butterfield, 1 Drum; as per his Receipt appears.

Your Committee further find, that the following Arms and Ammunition, &c. shipp'd by Mr. Silvanus Grove, on board the Neptune, Capt. Jermingham Biggs, and the Davenport, Capt. Charles Alden, consign'd to Col. Charles Hammond, Treasurer of the Western Shore; which arrived in this Province since the last Session, are by him lodged in the several Repositories; to wit,

In the Room over the Conference Chamber; 12 Brass Trumpets with Brass Mouth-pieces, 12 Drums and Sticks compleat, 30 Carbines with Buff Slings, 30 Muskets, 30 Bays Cases, 30 Carbines with Bayonets, 30 Scabbards, 30 List Cases.

In the Powder House; 20 half Barrels of Gunpowder.

There are also 15 four pounder Cannons, lying upon the Point near the Inspection-House, without Carriages.———And 1 Flag
p. 160 deliver'd for the Use of the Province.

All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, Robert Tyler, Cl. Com.

The Governor communicates to Mr. Speaker the following Message; viz. L. H. J. Liber No. 47 June 6

Gentlemen of the Lower House of Assembly,

By the Treasurers Accounts laid before your House, the Sum of 269 l. 4 s. 6 d. appears to be laid out in Arms and Ammunition, pursuant to the Act Entituled, An Act continuing, An Act for raising Three Pence Sterling per Hogshead on all Tobacco to be exported for purchasing Arms and Ammunition, and for an immediate supply of Arms for the Defence of this Province, passed in the Session of 1748, and the Bills on that Fund being now paid and all brought to Account, a Ballance of 383 l. 19 s. 1 d. 2 q. remains still due to the Province.

The Council House has great Occasion of several Reparations and some Debts have been already contracted to the same Purpose: It is therefore recommended, that you will take under your Consideration, whether it may not be proper to defray those Charges out of the Money due on that Fund, or that you will direct the Payment in some other Manner. Sam. Ogle.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

On Consideration of the Governor's Message, communicated to Mr. Speaker on the first of June Instant; the Question was put, That an Allowance of Provisions be made to our friendly Indians, that pass through this Province to War with the Catawbaws: Resolved in the Negative.

Ordered, That the Committee of Laws do prepare an Address to the Governor, in Answer to his Message of the first of June Instant.

The Bill entituled, An Act continuing an Act entituled, An Act for the better Relief of poor Debtors; and the Bill entituled, An Act for erecting a new Market-House in the City of Annapolis; and the Bill entituled, An Act to oblige Naval Officers to give sufficient Bonds, &c. which were read the second Time and passed, and sent to the Upper House by Col. J. Henry and Mr. Oldham.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise; and the Bill entituled, An Act reviving an Act entituled, An Act for the speedy Recovery of small Debts out of Court, &c. severally Indorsed, "By the Upper House of Assembly, June 6, 1751. Read the second Time, and will not pass." p. 161

On reading the Bill entituled, An Act for laying out a Town near the Mouth of Rock Creek, &c. the Question was put, Whether the Purchase Money, to be paid for the Land to be erected into a Town,

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shall be paid by the County, and the Benefit of the Sale to be applied to the Benefit of the County; or Not? Resolved in the Negative.

For the Negative.

Mr Bond	Mr N. Goldsborough	Mr Addison
Mills	J. Goldsborough	Gordon
N. Smith	Lloyd	Hopper
Carroll	Oldham	Davis
Smallwood	Sulivane	Tillotson
Stoddert	Hooper	Selby
Lee	Travers	Crabb
Wilson	W. Smith	
King	Matthews	

For the Affirmative.

Mr Key	Mr R. J. Henry	Mr Sprigg
Barnes	Waggaman	Murdock
Worthington	Lecompte	Dulany
Bordley	Colvill	Robins
J. J. Mackall	Hyland	Scarborough
Heighe	Baker	J. Henry
B. Mackall	Franklin	Chaplain
Reynolds	Wootton	Prather

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Rector, Vestrymen, and Churchwardens of St. John's Parish in Baltimore County, praying a Bill to pass to assess the Parishioners 250 l. Current Money, to build a Chapel of Ease, &c. And a Petition of the Rector, &c. of St. John's Parish in Baltimore County, praying an Increase of the Salary to the Inspectors at Joppa to 50 l. &c. Severally Indorsed, "By the Upper House of Assembly, referred to the Consideration of the Lower House." Which Petitions were here read, and referred for Consideration next Assembly.

The Bill entituled, An Act to impower the Justices of Prince George's County Court to treat with Anne Darnall, Widow, for her Claim of Dower to the Land on which that County Court-House is built, &c. was read the second Time and passed, and was sent to the Upper House by Mr. Murdock and Mr. J. J. Mackall.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for erecting a new Market-House in the City of Annapolis, Indorsed, "By the Upper House of
p. 162 Assembly, June 6, 1751. Read the second Time by especial Order, and will pass. Signed per Order, J. Ross, Cl. Up. Ho."

And the Bill entituled, An Act to oblige Naval Officers to give sufficient Bonds, &c. Indorsed, " By the Upper-House of Assembly, June 6, 1751. Read the second Time by especial Order, and will pass with the following Amendments: In Page 1, Line 4, instead of the Word July insert November: Line 5, between the Words Sureties and payable, insert to be approved by the Governor or Commander in chief for the Time being: Line 6, instead of the Word two put one: From the Word notwithstanding in the 14th Line, leave out to the End; and insert the following Words, Which said Justice or Justices taking such Bond as aforesaid, shall be, and he or they are hereby directed and obliged to lodge such Bond or Bonds with the Clerk of the Council for the Time being, in the Council Office, there to be kept. Signed per Order, J. Ross, Cl. Up. Ho." L. H. J. Liber No. 47 June 6

The Bill entituled, An Act to erect a Town at the Mouth of Rock Creek, &c. was read the second Time and passed.

The Bill entituled, An Act to enable the Vestrymen, &c. of Coventry Parish, partly in Somerset and Worcester Counties, to purchase two Acres of Land, &c. was read the second Time and passed.

Which two Bills were sent to the Upper House by Mr. Crabb and Mr. Chaplain.

A Bill entituled, An Act for the abolishing June County Courts; and a Bill entituled, An Act to repeal Part of an Act entituled, An Act to encourage the destroying of Squirrels and Crows in the Counties therein mentioned; were severally read the second Time by especial Order, and passed, and sent to the Upper House by Capt. Lee and Capt. Hopper.

A Bill entituled, An Act declaring how the Allowances to Judges and the Officers and Attorneys Fees shall be paid, which have or may become due on the holding Special Courts of Oyer and Terminer and Goal Delivery, was read the first Time; and the Question was put, That the said Bill be referred for a second Reading on the first Day of August next: Resolved in the Affirmative.

The Bill entituled, An Act for erecting a new Market-House in the City of Annapolis, was read and passed for Ingrossing. p. 163

The Bill entituled, An Act to oblige Naval Officers to give sufficient Bonds, &c. was read, with the Amendments proposed by the Upper House, and passed for Ingrossing.

The Bill entituled, An Act for the Recovery of sundry Commodities in Specie, out of Court before a single Magistrate, was read, and referred for Consideration on the first Day of August next.

Col. Hooper, from the Committee of Girevances, delivers to Mr. Speaker the following Report; viz.

By the Committee of Grievances and Courts of Justice, May 27, 1751.

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In Pursuance of an Order of your Honourable House, your Committee sent to the Register in Chancery, the Clerks of the Secretary's, Commissary's, and Land Offices, to know whether they had taken the Oath prescribed by an Act entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; who delivered their separate Answers as follow; viz.

The Register in Chancery answered, That he had taken the said Oath before George Steuart, Esq; one of the Provincial Magistrates, within the Time limited by the said Law.

The Clerk of the Provincial Office gave for Answer, That he apprehended the said Oath to be so strict, as to hinder him from taking any Fee or Reward, even from his Principal; and therefore had not taken the Oath.

The Register in the Commissary's Office gave for Answer, That by the Oath prescribed by Law for him to take, he conceived he should be debarred from the usual and customary Allowances for making out the Deputy Commissaries Commissions, and Copy of their Instructions, for which the Commissary charges no Fees; and for preparing Letters of Administration, or Testamentary, where the Administrations are granted by the Commissary General, for which he receives fifteen Shillings; the Deputy Commissaries receiving one hundred and fifty Pounds of Tobacco for the same Services; which had been the usual Perquisites taken by all the former Registers of that Office.

George Gardiner, an Under Writer in the Commissary's Office, says for Answer, That he has been but a little Time in the Office,
p. 164 was unacquainted with the Law, nor yet understands it perfectly; therefore cannot safely take the said Oath.

The Clerk of the Land Office gives for Answer, That it had been an usual Perquisite in that Office to have ten Shillings for every Petition formed and drawn by such Clerk from the Persons applying to the Office, where they could not get it done by any other, or do it themselves; and that he conceived if he was to take the said Oath, he could not take the said Perquisite or Reward.

Thomas Harwood, a Writer in the said Office, says, That he applied to Mr Stephen Bordley, as a Lawyer, for his Opinion; who gave it him, that if he took that Oath, he could not receive his Salary for acting in the said Office from his Principal, or charge the Fees arising for the Business of the Office.

Robert Tyler, a Writer in the same Office, says, That he doubted whether he could charge the Fees arising due to his Principal for the Business of the Office, if he had taken the said Oath; and for that Reason refrained it.

All which is humbly submitted to the Consideration of your Honourable House. Signed per Order, Wm. Wilkins, Clerk. L. H. J. Liber No. 47 June 6

The House adjourns until Tomorrow Morning at 9 of the Clock.

Friday Morning, June 7, 1751. June 7

The House met according th Adjournment: The Members were called, and all appeared as yesterday except Mr. Wilmer. The Proceedings of yesterday were read.

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker [Twenty Ingrossed bills: viz. see pages 529-531]

Which Bills were severally read and assented to, and sent to the Upper House with the Paper Bills by Col. J. Henry and Capt. Bond. p. 166

On Consideration of the Governor's Message of yesterday; Ordered, That Col. King, Mr. J. J. Mackall, Mr. Stoddert, and Capt. Travers, do make a Survey of the public Buildings; and Report the State and Condition of them to the House.

Col. Sprigg delivers to Mr. Speaker the following Report; viz.

By the Committee of Elections and Privileges, June 7, 1751.

Your Committee having inspected the Writ directed to the Sheriff of Calvert County, for electing a Deputy and Delegate to serve in this General Assembly, do find, That Mr. Thomas Reynolds, a Member, is duly returned.

All which is submitted to the Consideration of your Honourable House.

Signed per Order, Thomas Harwood, junior, Clerk Com.

On reading the said Report, the House concurs therewith.

The following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates of the said Province.

May it please your Excellency,

At a Session of Assembly held in Annapolis, in May, 1750, a certain Aaron Nalley, of Charles County, made Complaint to this House against the Magistrates of the said County, for rendering Judgment against him the said Nalley at the Suit of a certain Matthew Barnes, one of the Coroners of the same County, for the Sum of 4041 lb. Tobacco as a Debt, together with 244 lb. of Tobacco Costs, upon an Account formed against him the said Nalley, under Pretence that he the said Nalley had been committed to him at the Suit of Samuel Hanson, Sheriff of the same County, and detained as his Prisoner from August 11, 1747, to August 12, 1748; whereas, in Reality, he the said Nalley never was in Custody of the said Barnes, or at his House as a Prisoner: Nor does it appear by the Record of the Proceedings of the said Court, laid before this House, and hereunto p. 167

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annexed, that the said Barnes had proved his Account in any Manner whatever. And moreover, had the said Nalley been actually committed to him as Coroner, detained in Custody, and supported with Provisions agreeable to Law; neither by Proclamation, or the Law regulating Officers Fees, would he have been intitled to the Sum by him charged. In the Account formed by the said Barnes against him the said Nalley, the first Article thereof is never charged by any Officer to a Defendant; which, upon the least Attention of the said Court, might have been discovered.

It further appears to this House, that the Court of the said County broke up at 9 or 10 of the Clock at Night; and that the last Thing transacted therein was giving the said Judgment, and assessing Damages; of which the said Nalley was no ways acquainted, and therefore out of his Power to have Redress by Writ of Enquiry of Damages; which we humbly conceive he was intitled to, upon Application, the same Term, agreeable to the Directions of an Act entituled, An Act for the Amendment of the Law, and the speedier Advancement of Justice in Relation to the assessing of Damages, Body of Laws, Folio 229.

We take Leave to annex hereto a Report made to this House by the Committee of Grievances and Courts of Justice, upon the Subject of the said Nalley's Complaint; and to observe to your Excellency, that Mr. Walter Hanson, one of the Justices who sat on the Bench at the Time the Judgment was rendered, appeared before this House on the said Complaint, and acknowleged that it was a wrong Judgment, and given and entered in a Hurry, without Considering the same; and that altho' by the Clerk's Entry of the Stile of the Court, ten Justices being on the Bench, yet there were no more than the said Walter Hanson, Daniel of St. Thomas Jenifer, and Robert Yeates, sitting in Court at the Time of rendering the said Judgment. We humbly conceive, that the several Justices being tied by an Oath to do equal Law and Right to all the King's Subjects, ought with great Attention and Deliberation, to discharge the great Trust committed to, and reposed in them.

We therefore humbly pray, that your Excellency will take the Subject Matter of the Proceedings of the said Court in Relation to the said Judgment; and the Conduct of the said Robert Yeates, and
p. 168 Daniel of St. Thomas Jenifer, therein, into your Consideration; and, in Order to prevent Evils of the like Kind for the future, to do therein, as to you in your Wisdom shall seem right and just.

Was read and assented to, and signed by Order of the House by the Honourable Speaker.

Ordered, That Mr. Lloyd and Major Barnes do acquaint his Excellency, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker, that the Governor signified he would receive the Address at 11 o'Clock in the Conference Chamber.

Ordered, That Mr. Smallwood and three more do present the Address. L. H. J. Liber No. 47 June 7

Mr. Lloyd, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the better Preservation of the Breed of wild Deer, and preventing unlawful Hunting; which was read the first and second Time by an especial Order, and passed, and sent to the Upper House by Mr. Crabb and Mr. Heighe.

Col. Colvill delivers to Mr. Speaker the following Report; viz. (See pages 527-529)

On reading the said Report, the same is referred for the Consideration of next Assembly. p. 171

Col. Hooper delivers to Mr. Speaker the following Report; viz.

By the Committee of Grievances and
Courts of Justice, June 7, 1751.

In Pursuance of an Order of your Honourable House, your Committee have proceeded to make the necessary Enquiries agreeable to that Order; and do find, that the Attorneys do not annex Executions to their Lists of Fees put into the Sheriffs Hands to collect, as they are under Execution by Law: That the Clerks of the Provincial, and Anne Arundel County Courts, tax their Costs on all Judgments and Actions brought agreeable to Law; making the proper Deductions since the Inspecting Law took Place: Neither do we find their Entries or Oaths are lengthened, or more made than formerly, or any other Charge of Fees contrary to Law. But we are informed, that the Clerk of Dorchester County charges ten Pounds of Tobacco for making a Search, altho' the Thing searched for be not found; which we conceive is contrary to the apparent Intent of the Law.

All which is humbly submitted to the Consideration of the Honourable House. Signed per Order, Wm. Wilkins, Clerk.

Which was read, and ordered to lie on the Table.

On motion of a Member that an Address be prepared to his Excellency, for his Protection of our Religious and Civil Rights; Ordered, That the Committee of Laws do prepare and bring in the same.

Col. Hooper delivers to Mr. Speaker the following Ingrossed Address:

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

This House having taken into Consideration your Excellency's Message of the 1st Instant, in Relation to finding Provision for the

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Warriors of the Six Nations, in their travelling through this Province to war with the Catawbaws: The latter being in Friendship with the English as well as the former, we humbly conceive that such Supply might be taken as Encouragement to such Warring; and as those People are expert at Hunting, and require little Supply but what that affords, we therefore do not think proper to interfere, or agree that any Charge should be brought on the Public for that Purpose.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

p. 172 Ordered, That Col. Colvill and Mr. Hyland do acquaint his Excellency, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return, and acquaint Mr. Speaker, that his Excellency signified he would receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Stoddert and three more do present the Address.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for laying out and erecting a Town on Potowmack River above the Mouth of Rock Creek, in Frederick County: The Bill entituled, An Act to impower the Justices of Prince George's County Court to treat with Anne Darnall, &c. The Bill entituled, An Act to enable the Vestrymen and Churchwardens of Coventry Parish, &c to build a Chapel of Ease, &c. And the Bill entituled, An Act to repeal Part of an Act entituled, An Act to encourage the destroying of Squirrels, &c. Severally Indorsed, "By the Upper House of Assembly, June 7, 1751. Read the second Time, and will pass."

Which Bills were severally read here, and passed for Ingrossing.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met according to Adjournment.

A Bill entituled, An Act for raising an annual Revenue, for the better Support of the Station and Dignity of his Lordship's Governor for the Time being, and for the Safety and better Defence of this Province; which was read the first Time: And the Question was put, that the said Bill be read the second Time: Resolved in the Affirmative.

For the Affirmative.

Mr Carroll	Mr J. Goldsborough	Mr Wootton
Worthington	Lloyd	Addison
Heighe	Oldham	Murdock
Smallwood	Travers	Hopper

Mr Stoddert	Mr Hyland	Mr Tillotson	L. H. J. Liber No. 47 June 7
Lee	Baker	Selby	
Wilson	Franklin	Crabb	
N. Goldsborough	Matthews	Prather	

For the Negative. p. 173

Mr Bond	Mr King	Mr Gordon
Mills	R. J. Henry	Dulany
Key	Waggaman	Davis
Barnes	Sulivane	Robins
N. Smith	Hooper	Scarborough
J. J. Mackall	Lecompte	J. Henry
B. Mackall	Colvill	Chaplain
Reynolds	Sprigg	

The Bill entituled, An Act for raising an annual Revenue for the better Support of the Station and Dignity of his Lordship's Governor for the Time being, and for the Safety and better Defence of this Province, was read the second Time by an especial Order and passed, and was sent to the Upper House by Mr. Wootton and Capt. Lee.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

As many Evils and Inconveniencies will unavoidably be introduced into all Governments, which it is not possible for those at the Helm to observe or remedy, without a proper Representation from such who by their Station are more within View of such Evils; We his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, beg Leave to acquaint your Excellency, That we see Popery too assiduously nurtured and propagated within this Province, as well by the Professors thereof, as their Teachers, perverting and withdrawing many of his Majesty's Protestant Subjects, both from our holy Religion, and their Faith and Allegiance to his Royal Person, Crown, and Family.

That the Number of Jesuits and Popish Priests now within this Province, and yearly coming in, together with the established Settlements they have here, and several Youth sent from here to St. Omer's, and other foreign Popish Seminaries out of his Majesty's Obedience, to be trained up in Ways destructive to the Establishment of Church and State in his Majesty's Dominions; some of whom return here as Popish Priests, or Jesuits, together with others of like Kind, who live in Societies, where they have public Mass-

L. H. J. Liber No. 47 June 7 p. 174

Houses, and with great Industry propagate their Doctrine, will, if not timely prevented, endanger the fundamental Constitution of our Church, as well as the Peace of this Government.

Inasmuch as by the Laws of this Province very good Provision is made for faithful and able Ministers, labouring in the Work of the Gospel, to come, reside, and teach amongst us: And as his Majesty's Protestant Subjects here have been at great Expence in erecting Churches and Chapels, for public Worship and Service of Almighty God; in order therefore that the People may be the better instructed, comforted, and edified, we humbly pray that your Excellency will induct into Church Livings none but Ministers of Orthodox Faith, and such as are well learned and of exemplary good Lives; who, as well by their Teaching as Example, may answer the great and desirable End of our holy Religion.

We further humbly pray, that your Excellency will put into all Places of Trust and Profit none but faithful Protestant Subjects, known as such by their Religious and Civil Principles.

The great Confidence we have in your Excellency's Good Will for his Majesty's faithful Subjects within this Province, leaves no Room to doubt, but that you will take due Care that the Laws may be duly executed for their Safety, Protection, and Encouragement, as well as for the Preservation of this his Majesty's Dominion.

The Question was put, Whether the said Address be approved; or Not? Resolved in the Affirmative.

For the Affirmative.

Mr Carroll	Mr Waggaman	Mr Matthews
Bordley	N. Goldsborough	Addison
J. J. Mackall	J. Goldsborough	Murdock
Heighe	Lloyd	Hopper
B. Mackall	Oldham	Davis
Reynolds	Hooper	Tillotson
Smallwood	Travers	Robins
Stoddert	Hyland	Selby
Lee	W. Smith	Crabb
Wilson	Franklin	

For the Negative.

Mr Bond	Mr R. J. Henry	Mr Gordon
Mills	Sulivane	Dulany
Barnes	Lecompte	J. Henry
Key	Colvill	Chaplain
N. Smith	Baker	Prather
Worthington	Wootton	
King	Sprigg	

The said Address was indorsed, read, approved, and ordered to be Ingrossed. L. H. J. Liber No. 47 June 7

The Governor communicates to Mr. Speaker the following Message; viz.

Gentlemen of the Lower House of Assembly, p. 175

In Answer to your Address relating to a Judgment of the Justices of Charles County, I assure you that I am as sincerely desirous as you can be, to have Justice impartially administred to every Body without Distinction; and shall always think it as much my Duty to protect the People from all Sorts of Oppression, as to support the Magistracy in the just and legal Exercise of their Power: Therefore shall not fail to give the Affair a proper Attention and Consideration.

Sam. Ogle.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the Address to his Excellency, Ingrossed; which was read and assented to, and signed by Order of the House by the Honourable Speaker.

Ordered, That Mr. Lloyd and Mr. Oldham do acquaint his Excellency, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified he would receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Lloyd and thirteen more do present the Address.

On reading the Report from the Committee of Grievances, relating to the Oath directed by Law to be taken by the several Under Clerks; Ordered, That the Committee of Laws do prepare and bring in an Address to his Excellency relating thereto.

The following Message; viz.

By the Lower House of Assembly, June 7, 1751.

May it please your Honours,

The Desire we have that the legal Creditors of the Public should be paid, has induced us to return your Honours the Journal of Accounts, and acquaint you that the Particulars omitted by Error in the Governor's Account, of 1640 lb. of Tobacco, this House is willing to allow. As for the other Articles mentioned, and referred to in your Message of yesterday, we conceive they are not legal Demands on the Public; therefore cannot allow them. We have good Reason to expect that your Honours will pass the Journal, that the same may not swell, to become too great a Burthen to the People of Maryland. Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, with the Journal of Accounts, by Mr Wootton and Mr. Murdock.

The House adjourns until Tomorrow Morning at 7 of the Clock.

L. H. J. Liber No. 47 June 8 p. 176

Saturday Morning, June 8, 1751.

The House met according to Adjournment: The Members were called, and all appeared as yesterday, except Col. King and Mr. Waggaman. The Proceedings of yesterday were read.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Ingrossed Bill entituled, An Act to impower the Justices of Prince George's County Court to treat and agree with Anne Darnall, &c. An Ingrossed Bill entituled, An Act to enable the Vestrymen and Churchwardens of Coventry Parish, &c. to purchase two Acres of Land, &c. An Ingrossed Bill entituled, An Act to repeal Part of an Act entituled, An Act to encourage the destroying of Squirrels and Crows, &c. And an Ingrossed Bill entituled, An Act for laying out and erecting a Town on Potowmack River, above the Mouth of Rock Creek, &c. Which were severally read and assented to, and sent to the Upper House, with the Paper Bills, by Mr. Hyland and Mr. Bond.

On further Consideration of the Report referred from last Session, relating to the Payment of Money made by Edward Trippe, Benjamin Bradford, and Richard Porter, to the Commissioners of the Paper Currency Office, in Pursuance of certain Acts of Assembly: The Question was put, Whether the further Consideration of the said Report be referred to the Consideration of the next Assembly; or Not? Resolved in the Affirmative.

For the Affirmative.

Mr Bond	Mr J. Goldsborough	Mr Matthews
Mills	Hooper	Sprigg
Key	Lecompte	Dulany
Barnes	Colvill	Hopper
N. Smith	Baker	Davis
Bordley	W. Smith	Robins
Wilson	Oldham	Selby
R. J. Henry	Franklin	Scarborough

For the Negative.

Mr Carroll	Mr Smallwood	Mr Murdock
Worthington	Lee	Tillotson
J. J. Mackall	Travers	J. Henry
Heighe	Hyland	Crabb
B. Mackall	Wootton	Chaplain
Reynolds	Addison	

The Report of the Committee of both Houses of Assembly, appointed in May Session, 1750, to inspect into the Office and Proceedings of the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly, was referred for Consideration the next Assembly.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency the Governor; which was read, approved, and ordered to be Ingrossed. L. H. J. Liber No. 47 June 8

Mr. Stoddert delivers to Mr. Speaker the following Report; viz.

By the Committee appointed by the Honourable the Lower House of Assembly to make a Survey of the Public Buildings, and to Report the State and Condition of the same. June 8, 1751.

Your Committee, in Pursuance of such Appointment, having surveyed the Public Buildings, do make Report thereof as follows: p. 177

The Stadt House below Stairs wants some Plaistering; the Seats where the Court is held are out of Repair, and five Panes of Glass are wanting. The Front Porch of the said House wants some Plaistering, and the Steps of the back Porch are quite decayed; likewise some Stone or Bricks are wanting there.

In the Land Office, there are Benches and Shelves wanting, two Panes of Sash Glass, as also Plaistering and Whitewashing.

In the Room where the Committee of Accounts sits, there are wanting four Panes of Glass, two Benches, some Plaistering, and Facing for one Window.

In the Anne Arundel County Office, there wants one Pane of Glass.

In the Secretary's Office, one Pain of Glass, and some Plaistering is wanting.

The Commissary's Office wants a new Door, and one Pane of Glass.

The Chancery Office wants a little Lathing and Plaistering, and the Partition to be mended; also a new Lock to the Door.

The Room where the Committee of Laws sit, wants several Panes of Glass, Facing to one Window, and Plaistering.

The Council Office wants Lathing and Plaistering; and the Assembly Office the same; as likewise the Passage and Stair Case.

The Mayor's Court Office wants the Door-case to be mended, and one Pane of Glass, and Plaistering.

The Staircase Window of the Stadt House wants two Panes of Glass, and some Bricks over the Window-Frame, and some Plaistering to the Wall; and the Passage up one Pair of Stairs to the Offices wants Plaistering likewise.

The Repository wants the Covering mended; and there is a Gutter wash'd by Rains at the North-West End of the Council House, which, if not mended, may endanger the Building.

The Covering of the Council Chamber leaks in several Places (particularly the North Gutter), and rusts the Arms; which we think, by shifting some few Shingles carefully, may be made tight. Some middle Bolts to the Windows are wanting, and the Windows and Window-Frames themselves are much out of Repair; and Part of

L. H. J. Liber No. 47 June 8

the Wainscotting of the said Council Chamber is rotten, and shrunk from the Ceiling; likewise the Door Cases are decayed.

All which is humbly submitted to the Consideration of the Honourable House. Signed per Order, Wm. Wilkins, Clerk.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for raising an annual Revenue for the better Support of the Station and Dignity of his Lordship's Governor, &c. The Bill entituled, An Act for the abolishing of June Courts: And the Bill entituled, An Act continuing an Act entituled, An Act for the better Relief of poor Debtors: Severally Indorsed, "By the Upper House of Assembly, June 8, 1751. Read the second Time, and will not pass."

p. 178 Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the better Preservation of the Breed of wild Deer, &c. Indorsed, "By the Upper House of Assembly, June 7, 1751. Read the second Time by especial Order, and will pass with the following Amendments: Instead of the Words, to the Use of the County where such Offence shall happen, to defray the Expence of the Inspection Law, in Lines 13 and 14 of Page 2, put to the Right Honourable the Lord Proprietary for Support of Government. In Line 15 of Page 3, instead of the Words, the Use of the County where the same shall happen, to defray the Expence of the Inspection Law, put the Right Honourable the Lord Proprietary for Support of Government.

"Signed per Order, J. Ross, Cl. Up. Ho."

The Governor communicates to Mr. Speaker the following Answer: viz.

Gentlemen of the Lower House of Assembly,

In Answer to your Address delivered to me last Evening, relating to the Growth of Popery in this Province; you may be assured that I shall, according to your Desire, be very careful to induct no Clergyman into any Living, but who shall be well recommended to me as Persons of Piety, Learning, and Orthodox Faith; and shall likewise take Care to put into all Offices of Trust good Protestant Subjects, who are well affected to his Majesty's Person and Government; and to see the Laws duly executed, as far as lies in my Power.

Sam. Ogle.

Col. Hooper delivers to Mr. Speaker the following Address to his Excellency, Ingrossed; viz.

To his Excellency Samuel Ogle, Esq.; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

At a Session of Assembly held on the 8th Day of May, 1750, an Act did pass, entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds

in his Majesty's Customs, and for the Limitation of Officers Fees; whereby all Under Clerks and Deputies, writing in any of the Offices, or doing any Service in them, were obliged and directed to take an Oath in the same Act prescribed, on or before the 10th Day of July then next following. Upon Enquiry into a Compliance with the said Act, this House find, that no one of the Clerks or Deputies therein mentioned took the Oath prescribed, except the Register of the High Court of Chancery. We humbly apprehend, that Officers dispensing with positive Acts, may prove of dangerous and evil Consequence; therefore pray, that your Excellency will be pleased to make such Order, as to you in your Wisdom shall seem most just, that Right may be done therein. L. H. J. Liber No. 47 June 8

Which was read and assented to, and signed by Order of the House by the Honourable Speaker. p. 179

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Journal of Accounts, and the following Message: (See page 533)

Ordered, That Col. R. J. Henry and Mr. Stoddert do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified he was ready to receive the Address immediately.

Ordered, That Col. Hooper and three more do present the Address.

Dr. Carroll delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the several Paper Bills (the Ingrossed Bills of which had been severally read and assented to by both Houses this Session) severally Indorsed, "By the Upper House of Assembly: The Ingrossed Bill, whereof this is the Original, is read and assented to.

"Signed per Order, J. Ross, Cl. Up. Ho."

Dr. Carroll, delivers to Mr. Speaker the following Address to the Governor, Ingrossed; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The Humble Address of the House of Delegates.

May it please your Excellency,

We have considered your Excellency's Message of the 6th Instant, in Relation to the Public Buildings, and ordered a View to be made of them; which we shall communicate to the Upper House, that an Ordinance may be made to provide for the Repairs necessary for those Buildings; wherein we hope for your Concurrence.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

Ordered, That Mr. Key and Mr. Crabb do acquaint his Excellency, that this House hath prepared an Address to him, and desires p. 180

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to know when and where he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified he would receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Barnes and three more do present the Address.

[Votes and Proceedings of the Lower House of the Province of Md. May Session, 1751; pages 48-49]

[On motion, Ordered, That the following Address; viz. (See page 450.) Which was transmitted last Year, and delivered to the Right Honourable the Lord Proprietary of this Province, be Printed with the Proceedings this Session.]

The following Message; viz. (See page 533)

Was sent to the Upper House by Mr. Sulivane and Mr. Chaplain.

The Governor communicates to Mr. Speaker the following Answer to the Address of this House; viz.

Gentlemen of the Lower House of Assembly,

In Pursuance of your Address, I sent for the Under Clerks, and enquired of them, why they neglected to take the Oath prescribed in the Act entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; and was told by them, that they did not refuse it out of any Contempt or Disregard to Authority; but that they apprehended, as the Oath was penned, they could not, consistently with it, receive their Wages or Salary from their Principals.

This could never be the Intention of the Act: However, as in all Cases where an Oath is required by Law, the Terms of such Oath ought to be so explicit as to leave no Room for Scruples or Equivocation, I must recommend it to your Consideration, whether an Explanation of the abovementioned Oath may not be necessary.

As for my own Part, I assure you that I never will countenance any Officer's dispensing with any Law whatsoever; but on the contrary, discourage every Attempt of that Sort, and direct every one, I shall know guilty of it, to be prosecuted according to Law.

Sam. Ogle.

p. 181 Which was read: Ordered, That the Committee of Laws do prepare an Address to his Excellency relating thereto.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the following Message; viz. (See page 534)

The House adjourns until 2 of the Clock.

Post Meridiem

The House met according to Adjournment.

The following Message; viz. (See page 534)

Was sent to the Upper House by Capt. Travers and Mr. Wilson.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the following Message; viz. (See page 534) L. H. J. Liber No. 47 June 8

Col. Hooper delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Address to the Governor, Ingrossed; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates. p. 182

May it please your Excellency,

Upon considering your Excellency's Message of this Date, in Relation to the Oath prescribed by Law to be taken by the respective Clerks, we humbly apprehend it must be strongly presumed, that all Laws made by any Legislature deriving their Power under the British Constitution, are made with the greatest Deliberation and Circumspection; and that not only that Branch which more immediately represents the People, but the other two, are equally concerned in forming and perfecting the same; that therefore a Disobedience to such Laws equally reflect upon the whole Legislature.

We apprehend, that the Oath in the Act mentioned is as full and explicit as the Nature of the Case would admit; and we take Leave to assure your Excellency, that upon the strictest Examination thereof, we cannot conceive that any Clerks, or others thereby expressed, meant, or intended, can make any just Exception thereto, provided they are content with the Salary or Wages which their Principals give them; and which was the Intention of the Legislators they should be, without extorting or taking from the People, applying to the respective Offices, other Rewards than are limited and allowed by Law for the principal Officers. Therefore we cannot think any further Explanation of that Oath necessary.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

Ordered, That Mr. Bordley and Mr. Murdock do acquaint his Excellency that this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified he would receive the Address immediately in the Conference Chamber.

Ordered, That Col. J. Henry and three more do present the Address.

The Governor communicates to Mr. Speaker the following Answer to the Address of this House presented this Day; viz.

Gentlemen of the Lower House of Assembly,

As you are of Opinion there is no Ambiguity in the Oath prescribed by the Law of 1750, to be taken by the respective Clerks, and are unwilling to make any further Explanation of the same; I

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own I am at a Loss to know what I can properly do in the Affair, therefore should be very glad of your further Opinion and Advice.

None of the Places in Question are in my Nomination; and if I should order the Attorney General to prosecute them for a Breach of the said Law, I fear that might be the less effectual, as there is no Penalty imposed for not taking the said Oath.

Sam. Ogle.

On reading and considering the Message of this Day from the Upper House by Richard Lee, Esq; Resolved, That all Bills that take their Rise in, and go from this House to the Upper House, ought to be returned again to this House with an Affirmative or

p. 183 Negative, or with Reasons for not reading or considering such Bill.

Resolved, That the retaining the Bill entituled, An Explanatory Act to the Act entituled, An Act to repeal a certain Act of Assembly entituled, An Act to prevent the Growth of Popery within this Province, by the Upper House, is unprecedented, and contrary to the constant Course of Proceedings that hitherto hath subsisted between the two Houses; and tends to the destroying the good Harmony that ought to subsist (and which we have ever endeavoured to keep up) between the two Houses.

Ordered, That Col. Sprigg and Col. Colvill do acquaint his Excellency, that no Public Business lies before this House to transact.

Edmund Jenings, Esq; and Col. Hammond, from the Upper House, acquaint Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately in the Upper House.

Mr. Speaker left the Chair, and (with the Members of the Lower House) went to the Upper House; where he presented to his Excellency the Governor the following Ingrossed Bills, viz[t] (See pages 534-536)

p. 185 All which his Excellency the Governor passed into Laws in the usual Form, and made the following Speech: (See page 536)

So endeth this Session of Assembly, this Eighth Day of June, in the Year of our Lord 1751.

Test. M. Macnemara, Cl. Lo. Ho.

ACT OF ASSEMBLY PASSED IN MAY AND JUNE 1751

At a Session of Assembly begun and held at the City of Annapolis the fifteenth Day of May in the thirty seventh year of the Dominion of the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c[a] Annoq Domini 1751 and ending the Eeighth day of June following. Liber B.L.C. p. 523

The following Laws were Enacted and Assented to by his Excellency Samuel Ogle Esquire Governor.

An Act to prevent the Sale of Trashy Tobacco. No. 1

Whereas it appears to this General Assembly, that the Laws heretofore made, relating to Tobacco, have proved ineffectual to prevent the Sale of trashy and unmerchantable Tobacco: Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the thirtieth Day of May Instant, it shall not be lawful for any Person or Persons, on any Pretence whatsoever, to buy, barter for, purchase, or take into his, her, or their Possession, or to sell, or even offer to Sale, either directly or indirectly, any trashy or unmerchantable Tobacco, either loose or in Hands, in Bundle, Bulk, Parcel, Case, Hogshead, or other Package whatsoever; except such Tobacco as hath been heretofore lodged in any Inspecting House (or House or Houses used by Inspectors), in Pursuance of any former Law; under the Penalty of Six Pence Current Money, for every Pound of Tobacco so bought, bartered for, purchased, taken into his, her, or their Possession, sold, or offered to Sale, as aforesaid, to be recovered, where the Penalty shall not exceed fifty Shillings Current Money, before a single Magistrate, as in Case of small Debts; and where such Penalty shall exceed the said Sum, then and in such Case to be recovered in the County Court where such Offence shall happen, or the Party resides, by Action of Debt, Bill, Plaint, or Information, wherein no Essoyn, Protection, Wager of Law, or more than one Imparlance shall be allowed; one Moiety of such Penalty to the Informer, or him, her, or them, that shall sue for the same, together with his, her, or their legal Allowance for Attendance as an Evidence; and the other Moiety to and for the Use of the County where such Offence shall be committed, towards defraying the Charge of such County in the Execution of the Inspection-Laws: And where such Penalty shall

[Preamble.]

[No Persons to buy or sell trashy Tobacco after the 30th Day of May, 1751.]

[Penalty in case of Default, how to be recovered.]

Liber B.L.C. arise by Prosecution upon Indictment, if the Informer shall not, upon Conviction, make his Claim (and which Claim, when made, shall be entered upon the Clerk's Docket) to the Moiety in open Court, then and in such Case, the whole of such Penalty shall be to and for the Use of the County where such Offence shall be committed, to be applied towards defraying the Charge of Inspection as aforesaid.

[Either of the Parties offending against this Act, to be indemnified and intitled to the Reward, on informing against, and prosecuting the other Party.] p. 524

And for the further discovering and punishing so pernicious a Practice, Be it likewise Enacted, That if either of the Parties, Offenders as aforesaid, shall make such Information against the other Party or Parties so as aforesaid offending, and shall prosecute such other Party or Parties, so that he, she, or they be of the Offences aforesaid, or either of them, lawfully convict (to which Purpose any or either of the Parties aforesaid are hereby enacted and declared to be good and sufficient Evidence), such Person so as aforesaid informing and prosecuting, shall not only be indempnified and saved harmless from any Prosecution for the said Offence, but shall also be intitled to have and receive the same Rewards allowed as aforesaid; and shall have and receive, as a further Encouragement, the further Sum of Three Pence Current Money for every Pound of such Tobacco, to his sole and separate Use; to be recovered, where the Penalty shall not exceed fifty Shillings Current Money, before a single Magistrate, as in Case of small Debts, to be made a Part of the Judgment of such Magistrate; and where such Penalty shall exceed the said Sum, then and in such Case to be recovered in the County Court where such Offence shall so happen, or the Party resides, by Action of Debt, Bill, Plaint, Information, or Indictment, to his sole and separate Use as aforesaid, to be made a Part of the Judgment of the Court, upon such Conviction against such Offender.

[Magistrates to search suspected Places, on Information made.]

And be it further Enacted, That as often as any Magistrate shall be informed by any credible Person, on Oath, or Affirmation if a Quaker, that he suspects and verily believes some trashy or unmerchantable Tobacco is or shall be in any particular Tobacco-House, Storehouse, Warehouse, Barn or other Outhouse, Ship, or other Vessel, Inclosure, or other Place whatsoever, it shall and may be lawful to and for such Magistrate, and he is hereby authorized and required, immediately upon such Information as aforesaid, either to raise and compell Assistance, and to proceed himself, or by Warrant under his Hand and Seal, directed to such Informer singly, or with others jointly and severally, or to any other Person or Persons jointly and severally, thereby authorizing and directing him or them to compell Assistance and to proceed forthwith to such or any other such suspected Place as aforesaid, and there quietly enter it (except such House or Place be on the Plantation where such trashy or unmerchantable Tobacco shall appear, by the Oath, or Affirmation if a Quaker, of the Owner, or of any other credible Person, to have been made, or on some other Plantation belonging to such Person

[Places excepted from such search.]

who made such Tobacco; and also except Inspecting-Houses, and other Houses used by Inspectors for the convenient carrying on and Execution of the Inspection-Laws), if the Person having the Care of such Place be present, and will immediately permit such Entry, or if the Party having the Care of such Place be not then present, or being present will not permit such Entry, then to enter forcibly, into such or any other such suspected Place, and there to search for any such Tobacco as aforesaid; and the same being found, to take, remove and carry away, not only such Tobacco as the said Search is, or shall be particularly made for, but also all such trashy or unmerchantable Tobacco as shall be then there found, to the next Inspecting-House, by such Officer or Officers aforesaid; and in Case neither of the Inspectors attending that House shall happen to be present, then the said Magistrate, or Warrant Officer or Officers, or one of them shall be, and he or they are hereby authorized and required to summons one or both of the said Inspectors immediately to attend at such Warehouse: And it is hereby declared to be the Duty of such Inspectors or Inspector immediately to attend upon such Summons accordingly, and such Inspectors or Inspector so attending, shall search, view, and examine such Tobacco; and if upon such View, Search, and Examination, the said Tobacco or any considerable Proportion thereof, shall appear to him or them to be such as he or they are by an Act entituled, "An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees," obliged, as Inspectors, to pass; that then the same or such Part thereof, shall be by him or them in all Respects treated, dealt with, and managed, as other Tobacco by them passed is, by the aforesaid and other Acts of Assembly relating to the Inspection of Tobacco, directed; the Party owning or claiming such Tobacco paying or allowing to the Warrant Officer or Officers after the Rate of one Shilling Current Money, for every hundred Pounds of such Tobacco as shall as aforesaid pass Inspection, for carrying the same to such Inspecting-House; which Rate or Proportion the Inspectors are hereby authorized and required to demand and receive of the Person who claims such Tobacco, before they permit the same to be taken out of the Inspecting-House; and which Rate or Proportion, after the Receipt thereof as aforesaid, shall be by the said Inspectors paid to such Warrant Officer or Officers, or his or their Order, upon Demand: And in case such Tobacco, or any Part thereof, as aforesaid, upon such View and Examination as aforesaid, shall not by such Inspectors or Inspector be passed, then such Tobacco, or such Part thereof as shall not pass Inspection as aforesaid, shall by such Inspectors or Inspector (after being by him or them weighed) be immediately burnt: And the said Warrant Officer or Officers shall have and receive, as a Reward for his or their Diligence in the Execution of this Clause of this present Act, after the Rate of one Shilling Current Money, for every hundred

Liber B. L. C.

[What is to be done with trashy Tobacco when found.]

p. 525

[All seized Tobacco, which will not pass Inspection, to be burnt.]

Liber B.L.C. Pounds of Tobacco which shall be so taken and burnt as aforesaid; to be recovered either against the Person Owner of the said House, Vessel, or other Place, knowing the said Tobacco to have been there; or against the Person owning such Tobacco at the Time of such Seizure, by Warrant before a single Magistrate out of Court, with full Costs, and to be levied by Way of Execution against the Person, Goods, or Chattels of the Party so offending, by the like Authority.

[Trashy Tobacco under Carriage to be seized.] And be it likewise Enacted, That where any Person or Persons whatsoever, shall discover under Carriage, any trashy or unmerchantable Tobacco, he or they so discovering shall be, and they are hereby authorized and required to stop and seize such trashy or unmerchantable Tobacco, then and there found, and the same shall convey, or shall direct and require the Party or Parties so carrying the same as aforesaid, to carry such Tobacco to the next or any other convenient Inspecting-House; and that such Party or Parties refusing to carry the same, shall forfeit and pay after the Rate of fifty Shillings Current Money, for every hundred Weight of such Tobacco upon every such Refusal; to be recovered as the Case as aforesaid may require, before a single Magistrate, or in the County Court, by Action of Debt, Presentment, or Information; the one half whereof to him or them, that shall sue or inform concerning the same, and the other half to the Use of the County, where such Offence shall be committed, to be applied towards defraying the Charge of Inspection as aforesaid: And in Case neither of the Inspectors attending that House, shall happen to be present, then the said Person stopping and seizing the said Tobacco, is hereby directed to summons one or both of the Inspectors immediately to attend at such Warehouse to receive and secure the same, and the Inspector or Inspectors so attending, shall search, view, and examine the same, and proceed in such Case, in like Manner as he or they are directed, with Regard to trashy or unmerchantable Tobacco, which shall be found in any Tobacco House, Storehouse, Warehouse, Barn, or other Outhouse, Ship or other Vessel, Inclosure or other Place whatsoever, not burthening the Party who carries the same, or the Owner thereof with any Charge for Carriage; and then after such Inspection made as aforesaid, the Person or Persons so stopping and seizing such Tobacco, shall immediately repair to some Magistrate, and inform him, that he hath seized and secured such Tobacco in Manner aforesaid; and the Magistrate shall and he is hereby authorized and required to proceed therein, with respect to the fining or binding over (as the Case shall require) such Offender or Offenders; and he, she, or they so offending, shall be liable to the same Penalties, and be under the same Mode of Prosecution for the Recovery thereof, as is before directed by this Act. Provided always, That in all Cases where any such Tobacco under Carriage shall be seized and carried to any Inspection-House as aforesaid, if the Person or Persons carrying or

[Penalty on refusing to carry such Tobacco to the next Inspection House.]

[Duty of Inspectors on receiving such Tobacco.]

p. 526

[Duty of Magistrates in such Cases.]

claiming the same, shall prove by his, her, or their own Oath, or Affirmation if a Quaker, or the Oath or Oaths, or Affirmation if a Quaker, of any other credible Person (which Oath or Affirmation any Magistrate is hereby authorized and required to administer, "That such Tobacco so taken under Carriage, was at such Time carrying to be inspected at some Inspecting-House, agreeable to the Laws of this Province:" Such Proof shall exempt the Person so carrying, or Owner or Claimer of such Tobacco, from the Penalties, other than the Loss and Burning of such trashy Tobacco. Liber B. L. C.

[Penalty on Persons attempting to rescue trashy Tobacco when seized.]

And be it further Enacted, That if any Person or Persons, shall remove any Tobacco which shall be stopped or seized as aforesaid, other than such Person or Persons who shall so seize the same, or some other by his or their Order, or who shall rescue or attempt to rescue any Tobacco, which shall be so stopped and seized as aforesaid; such Person or Persons so offending, shall forfeit and pay fifteen Pounds Current Money for every Hogshead or Parcel of Tobacco, so removed, rescued, or attempted to be rescued as aforesaid, to be recovered in the Court of the County, where such Offence shall be committed, or the Party or Parties reside, by Action of Debt, Bill, Plaint, or Information, wherein no Essoyn, Protection, Wager of Law, or more than one Imparlance shall be allowed, for the Use of the Person or Persons making such Seizure as aforesaid.

[Of Persons sued for putting this Act in Execution.]

And be it further Enacted, That if any Person or Persons shall be sued, prosecuted, or impleaded for any Matter or Thing, by him, her, or them done, pursuant to, and in Execution of this Act; such Person or Persons so sued, prosecuted, or impleaded, shall be at Liberty to plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff or Informer shall be Nonsuit, discontinue his Suit, or a Verdict be had against him, then, and in either of these Cases, the Defendant or Defendants shall not only be acquit thereof, but shall by Judgment recover against such Plaintiff or Informer treble Costs.

[Proviso.]

Provided always, and it is hereby Enacted and Declared, That every Information to be made in Pursuance of this Act, shall be made within three Months, next after the Offence committed, and not after.

[Continuance of this Act.]

This Act to continue until the first Day of December, which shall be in the Year of our Lord God, One thousand seven hundred and fifty three.

28th May 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
Mr Macnemara Ct lo. ho.

On Behalfe of the Right Honourable the Lord Proprietary of this Province. I will this be a Law
Sam: Ogle

The Great Seal in Wax Appendant

28th May 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. Ho.

p. 527

Liber B.L.C. An Act continuing an Act entituled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy.

No. 2 Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and [An Act continued.] the Upper and Lower Houses of Assembly, and the Authority of the same, That the above-mentioned Act entituled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy, made at a Session of Assembly begun and held at the City of Annapolis, the twenty-sixth Day of April, Seventeen hundred thirty and seven, be and is hereby continued, and shall remain and be in full Force for and during the Term of three Years next ensuing, and to the End of the next Session of Assembly which shall happen after the End of the said three Years.

7th June 1751
Read and Assented to by the Lower House of Assembly.
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam. Ogle
the Great Seal in wax Appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. H.

No. 3 An Act for destroying Wolves in Frederick County.

Whereas it appears to this General Assembly, that Wolves are very numerous and mischievous in Frederick County, and that they destroy great Numbers of Sheep, Hogs, and Cattle; and therefore, [Preamble.] if not timely prevented, will become so numerous as not only to infest that County, but by that Means all the Province. It is therefore prayed that it may be Enacted:

[Justices to give Certificates to person bringing the Heads of Wolves.] And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That when and as often as any credible white Person or Persons shall bring before any Justice of the Peace within Frederick County the Head or Heads of any Wolf or Wolves, and make Oath on the holy Evangels of Almighty God (or Affirmation if a Quaker), that the Wolf or Wolves, of which he, she, or they produces the Head or Heads, was or were actually killed (or caught and killed as the Case shall happen) within the Limits of the aforesaid Frederick County, within three Days next before the producing the same to such Justice; that then such Justice shall, and he is hereby obliged and directed to give such Person or Persons, producing such Wolves Head or Heads, a Certificate for such Head or Heads so produced and proved as aforesaid; and in such Certificate to mention the Oath or Affirmation taken, and therein distinguish which, or how many of the Heads, was the Heads of the old or young Wolves. And

every Justice, that shall have any Wolves Head or Heads brought before him by any Person as aforesaid, shall be, and he is hereby authorized and impowered to judge of the Age of the said Wolf or Wolves, of which the Head or Heads is brought before him; and if such Justice shall believe the Age of such Wolf or Wolves to exceed three Months, that then he shall distinguish it in his Certificate by the Words Old Wolf, or Wolves; but if he shall believe the said Wolf or Wolves to be under the Age of three Months, that then he shall distinguish the same in his Certificate by the Words Young Wolf, or Wolves: And that every Justice, to whom any Wolf's Head is brought, and by whom a Certificate shall be given as aforesaid, such Justice is hereby obliged and directed immediately to cut off the Ears, and take out the Tongue, of and from the Head or Heads of such Wolf or Wolves, to prevent such Head or Heads from being a second Time carried before a Justice in order to obtain a Certificate. Liber B.L.C. p. 528

And be it further Enacted by the Authority aforesaid, That every Person or Persons, who shall produce any Certificate as aforesaid to the Justices of the aforesaid Frederick County, in November Court yearly, shall, for every old Wolf's Head, be allowed the Sum of Twenty Shillings; and for every young Wolf's Head, the Sum of Fifteen Shillings, Current Money; to be by the Justices aforesaid assessed and levied in the County Levy, yearly and every Year during the Continuance of this Act, together with the Sheriff's Salary for collecting the same; and be paid by the Sheriff to such Person or Persons as shall be intitled to the same as aforesaid. [Reward for killing Wolves.]

And be it likewise Enacted, That so much of an Act of Assembly of this Province entituled, An Act for killing of Wolves, Crows, and Squirrels, made at a Session of Assembly begun and held at the City of Annapolis the twenty-seventh Day of October, One thousand seven hundred and thirteen, and the Supplementary Act thereto, so far as relates to the making an Allowance for any Wolf's Head, and that may thereby in any Manner affect Frederick County aforesaid, be and is hereby declared to be repealed, abrogated, and made null and void. [Part of an Act repealed.]

This Act to continue for three Years, and unto the End of the next Session of Assembly which shall happen after the End of the said three Years. [Continuance of this Act.)

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct lo. ho.

On behalf of the Right honble the Lord Proprietary of this Province. I will this be a Law
Sam Ogle

The Great Seal in wax appendant

7 June 1751
Read and Assented to by the Upper house of Assembly
Signed p Order
J Ross Ct. Up. H.

Liber B.L.C. An Act continuing an Act entituled, An Act for Punishment of Horse-stealers and other Offenders.

No. 4 Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and [An Act continued.] the Upper and Lower Houses of Assembly, and the Authority of the same, That the abovementioned Act entituled, An Act for Punishment of Horse-stealers and other Offenders, made at a Session of Assembly begun and held at the City of Annapolis the first Day of May, Anno Domini One thousand seven hundred forty and four, be and is hereby continued, and shall remain and be in full Force, for and during the Term of three Years next ensuing, and to the End of the next Session of Assembly which shall happen after the p. 529 End of the said three Years.

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct. lo. ho

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam. Ogle

The Great Seal in wax appendant

7 June 1781
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross, Ct. Up. H.

No. 5 An Act to annex certain Extra-parochial Lands, lying between Nassaongo Creek and Accongo Branch in Worcester County, to the Parish of Allhallows.

[Preamble] Whereas, by the humble Petition of sundry Inhabitants of that Part of a Place called the Indian-Town, in the County of Worcester, which lies between Nassaongo Creek and Accongo Branch, it is represented to this General Assembly, that all that Tract or Parcel of Land lying and being in the Indian-Town aforesaid, between Nassaongo Creek and Accongo Branch aforesaid, is not at present within the Bounds or Limits of any Parish; and that the Parish Church of Allhallows is the most convenient Place for the Inhabitants aforesaid to attend Divine Worship; and pray, that the Extra-parochial Lands aforesaid may be annexed to the aforesaid Parish of Allhallows: And this General Assembly having taken the Premises into Consideration, and thought the same reasonable, it is humbly prayed that it may be Enacted:

[Lands mentioned in this Act, to be annexed to Allhallows Parish.] And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all that Tract or Parcel of Extra-parochial Land, situate, lying, and being in the Place commonly called and known by the Name of the Indian Town, between the Creek called Nassaongo Creek and Accongo Branch, in Worcester County aforesaid, after the End of this present Session of Assembly, shall be, and it is hereby annexed unto Allhallows Parish in the County aforesaid. And it is

also hereby Enacted, That all the Lands contained between the Limits aforesaid shall, after the Time aforesaid, be deemed, reputed, adjudged, and taken, as Part and Parcel of the said Parish of Allhallows, and no other. Liber B. L. C.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That the Inhabitants who now reside, or who may hereafter reside between Nassaongo Creek and Accongo Branch aforesaid, shall have and enjoy all such Benefits, Privileges, Powers, and Authorities, in every Respect, as other the Inhabitants of the said Parish of Allhallows now have, or hereafter may have or enjoy; any Law, Usage, or Custom, to the contrary in any wise notwithstanding.

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam. Ogle.

The Great Seal in wax appendant

7th June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross, Ct. Up. H.

An Act to enable the Vestrymen and Churchwardens of Durham Parish in Charles County, for the Time being, to sell two Tracts of Land therein mentioned, and to apply the Produce Money, or Tobacco, arising by such Sale, towards the Purchase of another Piece of Land, to be made a Glebe for the Use of the Incumbent of that Parish and his Successors. No. 6 p. 530

Whereas the Vestrymen and sundry of the principal Inhabitants and Freeholders of Durham Parish, in Charles County, by their humble Petition to this General Assembly have set forth, that they, in Right of the Parish, are seized of two Parcels of Land; the one called Randall's Addition, containing two hundred Acres; the other called Hooknorton, containing one hundred and fifty Acres; which lie inconvenient to the Generality of the Parishioners: And have therefore humbly prayed that an Act may pass, to enable them to sell the said two Parcels of Land, and to apply the Produce Money, or Tobacco, arising by such Sale, towards the Purchase of another Piece of Land, to be made a Glebe, for the Use of the Incumbent of said Parish, and his Successors. Which being by this General Assembly thought reasonable, it is prayed that it may be Enacted; [Preamble.]

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Vestrymen and Churchwardens of Durham Parish in Charles County, for the Time being, or the major Part of them, be, and are hereby authorized and impowered to sell and dispose of, for the greatest Price they can get, the aforesaid two Parcels of Land; and the Produce Money, or Tobacco, arising by [Vestrymen, &c. of Durham Parish to sell the lands mentioned in this Act.]

Liber B. L. C. such Sale to apply towards the Purchase of another Piece of Land, lying in Durham Parish in Charles County: And that such other Land, when so purchased, shall be made over to the Vestrymen and Churchwardens aforesaid, or the major Part of them, in Trust, and for the Use and Benefit of the Minister or Incumbent of said Parish for the Time being, and to his Successors, Ministers or Incumbents of said Parish, for ever.

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this Be a Law
Sam: Ogle

The Great Seal in Wax Appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross, Ct. Up. H.

No. 7 An Act continuing an Act entituled, An Act to prevent cutting up Tobacco-Plants, destroying of Tobacco and Tobacco-Houses, and for ascertaining the Punishment of Criminals guilty of the said Offences.

[Preamble.] Whereas a Temporary Law, made at a Session of Assembly begun and held at the City of Annapolis the first Day of May, Anno Domini One thousand seven hundred forty and four, entituled, An Act to prevent cutting up Tobacco-Plants, destroying of Tobacco and Tobacco-Houses, and for ascertaining the Punishment of Criminals guilty of the said Offences, by Experience has been found useful and beneficial, is near expiring: Therefore for continuing the same,

[This Act made perpetual.] Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the said recited Act, and every Article, Clause, and
p. 531 Thing, therein contained, shall be in full Force, and is hereby made perpetual.

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct. lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam. Ogle

The Great Seal in Wax Appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J. Ross Ct. Up. H.

No. 8 An Act continuing an Act entituled, An Act to enable the several and respective County Clerks within this Province to remove some of the County Records and Papers from the Public Offices.

[An Act continued.] Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and

the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act to enable the several and respective County Clerks within this Province to remove some of the County Records and Papers, from the Public Offices, made at a Session of Assembly, begun and held at the City of Annapolis, the tenth Day of May, One thousand seven hundred forty and eight, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of three Years, next ensuing, and to the End of the next Session of Assembly, which shall happen after the End of the said three Years. Liber B.L.C.

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct. lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam: Ogle

The Great Seal in Wax Appendant

7th June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. H.

An Act to enable the Justices of Charles County, to assess and levy on the taxable Inhabitants of that Part of the late Rev. Mr. Donaldson's Parish, which lies in the said County, Fifty-five thousand Pounds of Tobacco, and for other Purposes therein mentioned. No. 9

Whereas the Vestrymen, Churchwardens, and other Inhabitants of that Part of the late Reverend Mr. Donaldson's Parish, which lies in Charles County, have by their humble Petition to this present General Assembly set forth, that the Church which is now used by the said People is so old and ruinous, that it would be misapplying Tobacco to attempt to repair it; and also, that it is so situate as to be very inconvenient to many of them: And have therefore prayed that an Act may pass to enable them to raise a Quantity of Tobacco, not exceeding fifty-five thousand Pounds of Tobacco, for the building a new one, at such Place as the Majority of the Protestant Freeholders of the said Parish may choose. [Preamble.)

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Charles County Court, for the Time being, be, and they are hereby authorized and impowered, on Application of the said Vestrymen, and Churchwardens, at their laying their County Levy in November Court, in the several Years Seventeen hundred fifty-one, Seventeen hundred fifty-two, and Seventeen hundred and fifty-three, to assess and levy on the taxable Inhabitants of the said Parish, in the County aforesaid, a Quantity of Tobacco not exceeding fifty-five thousand Pounds of Tobacco, together with the Sheriff's Salary of five per Cent for Collection; which Tobacco, so by the said Sheriff received, shall be paid [Justices of Charles County to levy a Sum of Tobacco on the Inhabitants of the late Mr. Donaldson's Parish.]

p. 532

Liber B.L.C. to the Order of the said Vestrymen and Churchwardens, or the major Part of them, to be by them applied for the building, finishing, and compleating a Church, at such Place as shall be agreed on by the major Part of the Protestant Freeholders of the said Parish, for the placing the same.

[Majority of Freeholders to choose the Place for building a Church.] And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for all the Protestant Freeholders of the said Parish, at some Time between the first and fifteenth Days of October ensuing, to meet, on public Notice to them in Church given of such Day to meet, at Newport Church in the Parish aforesaid, provided such Notice be given ten Days at least before such Meeting; and then and there to vote where and in what Place the Church intended to be erected shall be built: And the Place where the Majority of such Protestant Freeholders shall vote the same to stand, and no other, shall be the Place where the same shall be erected.

[Two Acres of Land to be purchased.] And be it further Enacted by the Authority aforesaid, That when the Place where the same Church shall be built may be by the Means aforesaid known, that then the said Vestrymen and Churchwardens shall, and they, or the major Part of them, are hereby authorized and impowered to agree with the Proprietor thereof for two Acres of Land, whereon to build the said Church, and to be thereafter used for the Church-yard thereunto belonging; and the Price agreed to be paid for the same shall be paid out of the Tobacco so as aforesaid to be levied; and a good and sufficient Deed of Bargain and Sale being executed by the Vendor, in the Name and to the Use of the said Vestrymen and Churchwardens and their Successors, acknowleged and recorded, shall intitle the said Vestrymen and Churchwardens, and their Successors, to a Right therein, to the Use of the said Parish for ever.

[How the said two Acres of Land are to be paid for.] And be it further Enacted by the Authority aforesaid, That the Money which the said Vestrymen and Churchwardens now have received, or may hereafter receive, from the Sheriff of St. Mary's County, by Virtue of an Act entituled, An Act relating to that Part of King and Queen Parish which lies in Charles County, and was lately severed by the Death of the Reverend Mr. John Donaldson, shall, with the Tobacco hereby allowed to be levied, be applied towards the Expence of purchasing the Land aforesaid, and building of the said Church.

[Preamble to the subsequent Clauses.] And whereas, by the Petition before recited, it is also set forth, that on the Death or Removal of the Reverend Mr. Urquhart, that Part of his present Parish which lies in Charles County will be united to, and consolidated with, that Part in which the Petitioners now live, under the Title of Trinity Parish; and that on such an Union, there may be a Necessity of building a Chapel of Ease in that Part, for the Convenience of those who shall then reside within it: And whereas it appears reasonable to this present General Assem-

bly, that when the said Parish shall become an entire one, the Persons now petitioning, who by this Law will have a Church built for their Convenience, should not only contribute to the Expence of a Chapel of Ease for those People, but permit it to be built at a Place where such People shall choose. Liber B.L.C. p. 533

Be it therefore Enacted by the Authority aforesaid, That when it shall happen that the said Parish, by the Death or Removal of the said Mr. Urquhart, becomes a full and compleat one; then the Protestant Freeholders who shall live within that Part of it which the said Mr. Urquhart now holds, may agree on any certain Place, whereon to build a Chapel of Ease for their Convenience; towards the purchasing of which, and for the building of the said Chapel, the taxable Inhabitants of the whole united Parish shall equally contribute. [A Chapel of Ease to be built if requisite.]

And be it further Enacted by the Authority aforesaid, That the said Part of the Parish as it now stands, by the Death of the late Mr. Donaldson, shall be from henceforth deemed and taken to be a full and compleat Parish, by the Name of Trinity Parish, to all Intents and Purposes whatsoever, as much as if the Part which, on the Death or Removal of the aforesaid Mr. Urquhart, will come to it, was now actually within it; but not so as to burthen the Inhabitants of that Part with any Taxation or Duty relating to it, 'til the said Mr. Urquhart shall be actually dead or removed. [The said Parish to be called Trinity Parish.]

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam: Ogle.

The Great Seal in Wax Appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. H.

An Act continuing an Act entituled, A Supplementary Act to an Act entituled, An Act laying an Imposition on Negroes, and several Sorts of Liquors imported; and also on Irish Servants, to prevent the importing too great a Number of Irish Papists into this Province. No. 10.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the abovementioned Act entituled, A Supplementary Act to an Act entituled, An Act laying an Imposition on Negroes, and several Sorts of Liquors imported; and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province, made at a Session of Assembly, begun and held at the City of Annapolis the twentieth Day of March, Anno Domini, One thousand seven hundred and thirty-four, be, and is hereby continued, and shall remain and be in full Force, for and during the [A Supplementary Act continued.]

Liber B.L.C. Term of three Years next ensuing, and to the End of the next Session of Assembly, which shall happen after the End of the said three Years.

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct. lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam Ogle

The Great Seal in Wax Appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. H.

No. 11 p. 534 An Act to make the Testimony of Convicted Persons legal against Convicted Persons.

[Preamble.] Whereas Murders, Burglaries, and other Felonies and Offences have been so frequent of late, that the Lives and Properties of his Majesty's Subjects within this Province are become precarious; which Offences have been generally committed by the Convicts imported into this Province, and such as they seduce to join with them in their wicked Practices; and which Crimes the said Convicts are encouraged to perpetrate, because they know that they are disabled from being Witnesses against each other as the Law now stands: For Remedy whereof,

[The Oath of one Convicted Person to be valid against other Convicted Person or Persons.] Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That in all Criminal Prosecutions, which shall happen or be after the End of this present Session, against any Convict or Convicts imported into this Province as such, or their Confederates, or Accomplices, being such Convicts imported, the Testimony or Evidence upon Oath of any other Convict or Convicts imported as such, or of any of the Confederates or Accomplices, being Convicts, in the same Crime, committed within this Province, shall be received

[Proviso.] and allowed as if he, she, or they, was or were not under any Conviction or Disability, such Conviction or Disability notwithstanding. Provided always, That any Convict imported as such, who shall be sworn as a Witness in any such Case, and who shall swear falsly, and shall be thereof convicted, by due Course of Law, shall suffer as a Person convict of wilful and corrupt Perjury.

This Act to continue for three Years, and unto the End of the next Session of Assembly, which shall happen after the End of the said three Years.

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct. lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam Ogle.

The Great Seal in Wax appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. H.

An Act to enable the Justices of Charles County, to levy a Sum of Tobacco on the taxable Inhabitants of Port-Tobacco Parish, in the said County, for the Purposes therein mentioned. Liber B.L.C.

Whereas the Rector, Vestrymen, Churchwardens, and other the principal Inhabitants of Port-Tobacco Parish in Charles County, by their humble Petition to this General Assembly, have set forth, That the Church of the said Parish is an antient Building, very much gone to Ruin, so that it cannot be expected to stand long, nor is it practicable to repair the same: They therefore humbly pray, that an Act may pass to enable the Justices of the said County, to levy on the taxable Inhabitants of the said Parish, the Sum of One hundred and forty thousand Pounds of Tobacco, clear of all Deductions and Sheriff's Salary for Collection, in a certain Number of Years, at equal Assessments, in order to build a new Church in the said Parish, and that the Vestry may be on a Certainty in what Specie they may treat with Workmen for that Purpose; they pray it may be levied in Tobacco only: All which being by this present General Assembly thought reasonable. No. 12 [Preamble.] p. 535

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful to and for the Justices of Charles County Court for the Time being, and they are hereby authorized and required at the laying their County Levy in November Court, Seventeen hundred fifty-one, and so in November Court yearly, until the Year Seventeen hundred fifty and four inclusive, to assess and levy, by four even and equal Assessments on the taxable Inhabitants of Port-Tobacco Parish in the said County, a Quantity of Tobacco not exceeding One hundred and forty thousand Pounds of Tobacco, in the whole four Assessments, clear of the Sheriff's Salary of five per Cent for collecting the same, which said Sum of One hundred and forty thousand Pounds of Tobacco, the said Sheriff is hereby authorized and required to collect and receive accordingly; and when so collected and received, to pay the same to the Order of the Vestrymen and Churchwardens of the said Port-Tobacco Parish, for the Time being, to be by them applied to the finishing and compleating a Parish Church, at or near the Place where the old Church now stands, for the Use of the said Parishioners, and to no other Use or Purpose whatsoever. [140000 lb. of Tobacco to be levied on the Taxables of Port Tobacco Parish.]

7 June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct. lo. ho.

On behalf of the Right Honble the Lord Prop^{rs} of this Province I will this be a Law.
Sam: Ogle.

The Great Seal in Wax Appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. H.

Liber B.L.C. An Act continuing an Act entituled, An Additional and Explanatory Act to the Act entituled, An Act empowering the Commissioners of the County Courts, to levy and raise Tobacco, to defray the necessary Charges of their Counties and Parishes.

No. 13 Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Additional and Explanatory Act to the Act entituled, An Act empowering the Commissioners of the County Courts, to levy and raise Tobacco, to defray the necessary Charges of their Counties and Parishes, made at a Session of Assembly, begun and held at the City of Annapolis, the tenth Day of May, One thousand seven hundred forty and eight, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of three Years next ensuing, and to the End of the next Session of Assembly, which shall happen after the End of the said three Years.

[An Additional and Explanatory Act continued.]

7 June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct. lo. ho.

On behalf of the Right Honble the Lord Propr of this Province I will this be a Law
Sam: Ogle

The Great Seal in Wax Appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up H.

No. 14 p. 536 An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders: And A Supplementary Act to an Act entituled, An Act to prevent the tumultuous Meeting and other Irregularities of Negroes and other Slaves, and directing the Manner of trying Slaves.

[Preamble.] Whereas the Laws in Force for the Punishment of Slaves are found insufficient to prevent their committing very great Crimes and Disorders, and that a further Provision is necessary to keep them in proper Bounds and due Order; and for a more speedy Method to bring them to Justice than is prescribed by the Laws heretofore made.

[Crime punishable with Death.] Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That if any Slave or Slaves shall at any Time consult, advise, conspire, or attempt to raise any Insurrection within this Province, or to murder or poison any Person or Persons whatsoever, or to commit a Rape upon any white Woman, or to burn any House or Houses, and be thereof convict by Confession or Verdict, or who shall of Malice stand mute, or peremptorily challenge above the Number of twenty Jurors, shall suffer Death as in Cases of Felony, without Benefit of Clergy.

And be it further Enacted, That any Slave, who shall attempt to burn any Dwelling-House, or Outhouse contiguous to, or used with any Dwelling-House, or any other House wherein there shall be any Person or Persons, or any Goods, Merchandizes, Tobacco, Indian Corn, or other Grain or Fodder, and shall be thereof convict as aforesaid, shall suffer Death as a Felon, without Benefit of Clergy. Liber B. L. C.

And be it further Enacted, That every Slave committing any of the Felonies herein before mentioned, or any other Offence which may by Law Subject such Slave to the Pains of Death, shall be committed to the Sheriff of the County where the Offence shall be committed; and that at the next Assizes or County Court, which shall first happen to be held for the County where the Offence shall be committed, the Justices of Assize, or either of them, or County Court, which shall first happen, shall and may, by Virtue of this Act, try every such Offender or Offenders according to Law; and upon the Conviction of the Offender or Offenders, upon his, her, or their voluntary Confession, or the Verdict of a Jury upon the Testimony of one or more legal or credible Witness or Witnesses, or even the Testimony or the Evidence of other Slaves, corroborated with such pregnant Circumstances as shall convince and satisfy the Jury who shall try the Fact, of the Guilt of such Slave or Slaves, to give Judgment according to the Nature and Quality of the Offence. [Manner of trying Slaves.]

And be it further Enacted, That any Slave or Slaves, who shall give any false Testimony against any Slave or Slaves who shall be prosecuted as aforesaid, and shall be thereof legally convict, shall have one Ear cut off on the Day of his or her Conviction, and receive thirty-nine Stripes on the bare Back, and that the other Ear shall be cropp'd the next Day, and the like Number of Stripes given the Offender on his or her bare Back. [Punishment of Slaves giving false Testimony.]

And to the End that such Slave or Slaves, as shall be produced as a Witness or Witnesses against other Slave or Slaves, may be deterred from giving false Testimony, Be it Enacted, That the Justices of Assize, or either of them, then sitting, or the Justice of the County Court who shall preside, shall admonish and charge such Witness or Witnesses to declare the Truth, the whole Truth, and nothing but the Truth; and acquaint him, her, or them, with the Danger and Consequence of giving false Testimony. p. 537

And be it further Enacted, That when any Slave shall be condemned to suffer Death, that such Slave shall be valued by the Justices of Assize, or either of them, then present, or County Court, according to the best of their Knowlege; which said whole Value shall be paid by the Treasurer of the respective Shore on which such Execution shall be, on the Certificate of such Sheriff, out of the Public Stock of this Province in the Hands of such Treasurer, without Fee or Reward, to the Master or Owner of such Slave, in case the said Slave be actually executed, [Owners of executed Slaves to be paid the Value of them.]

Liber B. L. C. Slaves rambling, &c., how punished.] And be it further Enacted, That where any Slave shall be guilty of rambling, riding, or going abroad in the Night, or riding Horses in the Daytime without Leave, or running away, it shall and may be lawful for the Justices of the County Court, and they are hereby obliged, upon the Application or Complaint of the Master or Owner of such Slave, or to his, her, or their Order, or on the Application or Complaint of any other Person who shall be any ways dampnified or injured by such Slave, immediately such Slave to punish by whipping, cropping, or branding in the Cheek with the Letter R, or otherwise, not extending to Life, or to render such Slave unfit for Labour.

[Slaves killed in refusing to surrender, to be paid for by the Public.] And be it likewise Enacted, That if any Slave shall happen to be slain for refusing to surrender him or herself, contrary to Law, or in unlawful resisting any Officer or other Person who shall apprehend, or endeavour to apprehend such Slave or Slaves; and such Officer or other Person, so killing such Slave as aforesaid making Resistance, shall be, and he is by this Act indemnified from any Prosecution for such killing aforesaid: And that in every such Case, such Slave or Slaves shall be valued by two reputable Persons, not being of Kin to the Master or Owner of such Slave, upon Oath to be administred unto them, and to be appointed by the then nearest Magistrate, well and truly to value what such Slave was worth, to the best of their Knowlege, without Favour or Partiality; and that the whole Value of such Slave or Slaves shall be certified by such Persons to such Magistrate; and that the same shall be paid to the Owner or Owners of such Slave or Slaves, or to his, her or their Order, by the Treasurer of the respective Shore of this Province on which the same Death happened, upon a Certificate from the said Magistrate of the Death and Value of such Slave or Slaves, out of the Public Stock of this Province in the Hands of such Treasurer, without Fee or Reward.

[Free Persons or white Servants enticing Slaves to run away.] And be it further Enacted, That if any free Person shall entice and perswade any Slave within this Province to run away, and who shall actually run away from the Master, Owner, or Overseer, and be convicted thereof by Confession, or Verdict of a Jury, upon an Indictment or Information, shall forfeit and pay the full Value of such Slave to the Master or Owner of such Slave, to be levied by Execution on the Goods, Chattels, Lands, or Tenements of the Offender; and in Case of Inability to pay the same, shall suffer one Year's Imprisonment without Bail or Mainprize. And that if any white Servant shall entice or perswade any such Slave to run away, and who shall actually run away, that the Offender shall, after the Expiration of his Time of Servitude, become a Servant to the Master or Owner of such Slave, for and during the Term of four Years, or satisfy and pay to the Master of Owner the Value of such Slave; to be adjudged in either Case at the Tryal, by the Court before whom the Fact shall be tried; and that the Fact may be tried either in the

County where the Offences shall be committed, or where the Offender or Offenders shall be taken or apprehended. Liber B.L.C.

And to the End this Act may be known by all Sorts of People, Be it Enacted by the Authority aforesaid, That the several Sheriffs within this Province shall read, or cause this Act to be read, at the Court-House Door, on the second Day of each of the four County Courts in every Year, during the Continuance of this Act, on Pain of forfeiting five Pounds Current Money for every Neglect; to be recovered as aforesaid, with Costs of Suit, by Indictment or Information, in the Court of the County where such Neglect shall happen, and be applied to defray the County Charge. p. 538 [Sheriffs to read this Act at County Courts.]

Provided always, That where any Money shall be paid by Virtue of any Act or Acts of this Province, for any Slave or Slaves who shall die in Goal after Sentence, or shall be executed; It is hereby Declared and Enacted, That such Payment shall be made for such Slave or Slaves who were actual Inhabitants within this Province, at the Time of such Fact committed, and not otherwise. [Proviso.]

This Act to continue for three Years, and unto the End of the next Session of Assembly which shall happen after the End of the said three Years. [Continuance of this Act.]

7th June 1751
Read and assented to by the Lower House of Assembly.
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honble. the Lord Propr this Province I will this Be a Law
Sam: Ogle

The Great Seal in Wax appendt

7 June 1751
Read and assented to by the Upper House of Assembly
Signed p Order
J Ross, Ct. Up. H.

An Act to establish the Special Court Records of Anne Arundel County. No. 15

Whereas, by one Act of Assembly of this Province entituled, An Act for the Relief of Anne Arundel County, and all Persons concerned in the Records thereof lately burnt, made at a Session of Assembly begun and held at the Town and Port of Annapolis the fifteenth Day of May, Anno Domini One thousand seven hundred and five, a Commission issued to several Commissioners therein named, to hear and determine all Differences, Claims, and Demands whatsoever, between any the Inhabitants, or other Persons, interested in the Lands lying within the County aforesaid; and that the Judgments and Determinations which should be by them made between Party and Party, by Authority of the same Act, should be recorded in a fair Book, or Books, to be provided for that Purpose; and every such Judgment and Determination should be signed by three or more of the said Commissioners: Which Book or Books, when perfected, were by the said Act directed to be placed and intrusted with the Clerk of Anne Arundel County, among the Records of the said County, that all Persons concerned might repair to view [Preamble.]

Liber B.L.C. the same. And whereas it appears to this General Assembly, that there are in the Office of the Clerk of Anne Arundel County, among the Records of the same County, five Books of the Proceedings and Judgments of the said Commissioners, containing Deeds and other Matters relating to the real Estates and Interest, as well of many of the Inhabitants of the same County, as of divers other Persons; and which Books appear to be fair and clear in the respective Entries, and have for forty Years last past, and upwards, been taken and deemed as authentic Records within this Province. And it further appears to this General Assembly, that the Meetings of the said Commissioners were regularly entered in the said Records, and the Names of the Commissioners at all such Meetings entered by the Clerk of the same
p. 539 Court; but that, agreeable to the Letter of the said Act, three or more of the said Commissioners have not signed the respective Judgments in the Books aforesaid. In order therefore to remove any Doubts which may hereafter arise, concerning the Validity of the Proceedings in the said Books of Record contained, and the better to establish the same, it is humbly prayed that it may be Enacted;

[Judgments of the Commissioners, appointed in the year 1705, to be Good in Law.]

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the said five Books of Records of the Commissioners, appointed by Commission in Virtue of the said Act entituled, An Act for the Relief of Anne Arundel County, and all Persons concerned in the Records thereof lately burnt, and the several Judgments, Deeds and Proceedings in them entered, shall be held, deemed, adjudged, construed, and taken, as good and effectual in Law, as Records, to all Intents, Constructions, and Purposes, as if the same Judgments, and every of them, had been signed by three or more of the said Commissioners so appointed as aforesaid, or the Notice directed by the said recited Act had been given; such Omission, or any Law, Usage, or Custom, to the contrary thereof in any wise notwithstanding.

7th June 1751
Read and Assented to by the Lower House of Assembly.
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honble the Lord Propr of this Province I will this be a Law
Sam: Ogle

The Great Seal in Wax Appendant

Read and Assented to by the Upper House of Assembly
Signed p Order
J. Ross, Ct. Up. H.

No. 16 An Act to aid the Title of Purchasers of Lots in Princess Anne Town in Somerset County.

[Preamble.] Whereas there hath been heretofore, in Pursuance of an Act of Assembly, twenty-five Acres of Land, then supposed to be the Right of one David Brown, situate in Somerset County, laid out into thirty Lots, exclusive of the public Ground, and erected into a Town

called by the Name of Princess Anne Town; many of which Lots have been since taken up and well improved, and others secured tho' not yet built on; and the Court-House, Prison, and one of the Inspection Houses, for the said County, placed on the said public Ground in the said Town. And whereas some Doubt hath arisen concerning the Title of the said Lots, which are supposed to be Escheat unto the Right Honourable the Lord Proprietary: For aiding whereof, it is prayed that it may be Enacted; Liber B.L.C.

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That where any Person or Persons have taken up or purchased, or that shall hereafter take up or purchase, any Lot or Lots, Part or Parcel of a Lot or Lots, in the said Town, and that shall pay or cause to be paid, for the Use of the said Lord Proprietary, the Sum of twenty Shillings Sterling Money, in Silver or Gold, for every such Lot, and so in Proportion for a less Part of a Lot, to the Clerk of the said County for the Time being, who is hereby directed and impowered to receive, and he is hereby required to transmit the same to the Agent of the said Lord Proprietary for the Time being; and to give the Party or Parties paying the said Money a Receipt for the same, and to enroll the said Receipt amongst the Records of the County Court; for which Services the Clerk shall take and receive of the Owner or Owners thereof the Sum of two Shillings and six Pence Current Money, and no more: Which Sterling Money being paid as aforesaid, for the Use of the said Lord Proprietary in Manner aforesaid, and the Receipt or Receipts enrolled as aforesaid, shall invest the Owner or Owners of such Lot or Lots, or Part of a Lot, with a pure, absolute, and indefeasible Estate of Inheritance in Fee Simple, of, in, and to such Lot or Lots, or Part of a Lot, with the Appurtenances so taken up and purchased as aforesaid. [In what Manner the Titles of Lots in said Town are to be made good to the Purchasers.] p. 540

And be it likewise Enacted, That the Justices of the said County paying for the Use of the said Lord Proprietary the Sum of twenty Shillings Sterling Money in Manner aforesaid, for the public Ground aforesaid; and the Clerk of the said County giving a Receipt, and enrolling the same in like Manner, shall invest the Justices aforesaid, for the Use of their County for ever, with a pure, absolute and indefeasible Estate of Inheritance in Fee Simple, of, in, and to the said public Ground, with the Appurtenances thereunto belonging. [Title of the public Ground in said Town, how to be made good.]

7th June 1751
Read and assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct. lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam: Ogle.

The Great Seal in Wax Appendant

7 June 1751
Read and assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. Ho.

Liber B.L.C. An Act continuing an Act entituled, An Additional Supplementary Act to the Act entituled, An Act relating to Servants and Slaves.

No. 17 Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Additional Supplementary Act to the Act entituled, An Act relating to Servants and Slaves, made at a Session of Assembly begun and held at the City of Annapolis, the tenth Day of May, One thousand seven hundred and forty-eight, be and is hereby continued, and shall remain and be in full Force for and during the Term of three Years next ensuing, and to the End of the next Session of Assembly which shall happen after the End of the said three Years.

[An Additional Supplementary Act continued.]

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct lo. ho

On behalf of the Right Hon^ble the Lord Prop^ry of this Province I will this be a Law.
Sam: Ogle

The Great Seal in wax appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. Ho.

No. 18 An Act continuing an Act entituled, An Act to exempt Persons appearing at Musters from Arrests in Civil Cases.

[An Act continued.] Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act to exempt Persons appearing at Musters from Arrests in Civil Cases, made at a Session of Assembly begun and held at the City of Annapolis, the tenth Day of May, Anno Domini One thousand seven hundred forty and eight, be and is hereby continued, and shall remain and be in full Force for and during the Term of three Years next ensuing, and to the End of the next Session of Assembly which shall happen after the End of the said three Years.

p. 541

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Ct. lo. ho.

On behalf of the Right Honble the Lord Prop^ry of this Province I will this be a Law.
Sam: Ogle

The Great Seal in wax Appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. Ho.

An Act continuing an Act entituled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors and running of Horse-Races near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Concourse of Negroes and other Slaves during the said Meetings. Liber B. L. C.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province entituled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors and running of Horse-Races near the yearly Meetings of the People called Quakers, and to prevent the tumultuous Concourse of Negroes and other slaves during the said Meetings, made at a Session of Assembly begun and held at the City of Annapolis, the sixteenth Day of May, One thousand seven hundred forty and seven, be and is hereby continued, and shall remain and be in full Force for and during the Term of three Years next ensuing, and to the End of the next Session of Assembly which shall happen after the End of the said three Years. No. 19 [An Act continued.]

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl. lo. ho.

On the behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam: Ogle

The Great Seal in wax Appendant

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up. Ho.

An Act to oblige the Naval Officers to give sufficient Bonds for what Moneys they shall receive belonging to the Public. No. 20

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all and every Naval Officer of this Province shall, on or before the tenth Day of November, Anno Domini Seventeen hundred and fifty-one, give Bond with two sufficient Sureties, to be approved by the Governor or Commander in chief for the Time being, payable to the Right Honourable the Lord Proprietary of this Province, in the Sum of one thousand Pounds Sterling Money, for the Use of the Public of this Province, before a Provincial Magistrate, Conditioned, " That he the said Naval Officer will, during his Continuance in the said Office, transmit to the Trustees residing at London for the Time being, agreeable to the Directions of an Act entituled, An Act for emitting and making current ninety thousand Pounds Current Money of Maryland, in Bills of Credit, good Bills of Exchange, and account for and pay to the Treasurer or Treasurers for the Time being, from Time to Time, the several Sums of [Naval Officers obliged to give Bond.]

Liber B. L. C. p. 542

Money which he the said Naval Officer shall receive by the Laws of this Province, on Account of the Public:" Which Obligation or Obligations shall be no ways affected by the Act of Limitations; any Law, Usage, or Custom, to the contrary in any wise notwithstanding.

[Which Bonds are to be lodged in the Council Office.]

Which said Justice or Justices, taking such Bond as aforesaid, shall be, and he or they are hereby directed and obliged to lodge such Bond or Bonds with the Clerk of the Council for the Time being, in the Council Office, there to be kept.

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam: Ogle

The Great Seal in wax Appendant

7th June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

No. 21 An Act for erecting a new Market-House in the City of Annapolis.

[Preamble.]

Whereas it is, by the Mayor, Recorder, Aldermen, Common Council Men, and sundry Inhabitants, of the City of Annapolis, by their humble Petition to this present General Assembly, represented, that the Market-House of the said City is found to be of very little Use to the Inhabitants, by means of the Situation of it: It is therefore by the said Petition prayed that it may be Enacted;

[The present Market House, &c. to be sold.]

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful to and for the Mayor, Recorder, Aldermen, and Common Councilmen of the said City, to set up and expose to Sale the present Market-House, and the Piece or Parcel of Ground whereon the same now stands, in the said City, for the best Price that can be gotten for the same; and the same to convey in Fee to the Purchaser, under the said City or Corporation Seal: And with the Moneys thereby arising, so far as the same shall extend, to purchase some other Piece or Parcel of Ground within the said City, and thereon to erect and build a new Market-House for the Use of the said City; any Law, Statute, Usage, or Custom, to the contrary thereof in any wise notwithstanding.

[And the Money arising by such Sale to be applied towards erecting a new Market House.]

7th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M Macnemara Cl lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam: Ogle

The Great Seal in wax Appendt

7 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Cl. Up. Ho.

An Act to impower the Justices of Prince George's County Court to treat with Anne Darnall, Widow, for her Claim of Dower to the Land on which that County Court-House is built, and other Purposes therein mentioned. Liber B. L. C.

Whereas, Anne Darnall, Widow of Henry Darnall, Esq; Deceased, claims Right of Dower of and in the Land whereon is built the Court-House of said County in the Town of Marlborough: It is therefore prayed that it may be Enacted; No. 22 [Preamble.]

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Prince George's County Court for the Time being may, and they are hereby authorized and impowered, to treat and agree with the said Anne Darnall, or any other Person or Persons whatsoever, upon the best Terms they can, for her or their Claim of Dower of, in, and to the Lot or Lots, Piece or Parcel of Ground, whereon the said Court-House of Prince George's County is built, and pay for the same: And the said Justices are hereby obliged and directed to take a Release or Releases thereof, from her the said Anne Darnall, or such other Person or Persons, of such her or their Claim of Dower, to the Justices of the said County for the Time being, and their Successors; and the same Release cause to be acknowleged before one Provincial Magistrate, and entered in the Records of the same Court. [Justices of Prince George's County to purchase of Anne Darnall her Right of Dower, &c.] p. 543

And it is hereby further Declared and Enacted, That such Purchase, Payment, and Release, acknowleged and recorded as aforesaid, shall bar her the said Anne Darnall, and such other Person or Persons, of and from all Right, Title, Interest, Claim, and Demand, of Dower, of, in, and to the said Land and Premises; any Law, Statute, Usage, or Custom, to the contrary thereof in any wise notwithstanding.

And be it further Enacted, That the Justices of Prince George's County Court for the Time being shall be, and they are hereby impowered and directed, at the laying their County Levy in November Court next, to assess and levy the Sum or Sums of Money or Tobacco, which they shall agree for with the said Anne Darnall, or such other Person or Persons, for her or their Claim of Dower aforesaid, upon the taxable Inhabitants of the said County; as also the Charges of drawing and recording such Release or Releases, as is herein before directed to be taken, together with the Sheriff's Salary for collecting the same. [Money for the Land whereon the Court House stands; to be levied on the Taxable Inhabitants of the said County.]

And whereas the Prison of Prince George's County aforesaid hath lately been burnt down, so that the said County is now without any Place of Security for holding Persons committed to the Custody of the Sheriff: Be it therefore further Enacted, That it shall and may be lawful to and for the Justices of the said County Court, [Tobacco to be levied for rebuilding the Prison.]

Liber B. L. C. at the laying their next Levy for the said County, to assess and levy on the taxable Inhabitants of the said County a Quantity not exceeding the Sum of twenty-five thousand Pounds of Tobacco, besides the Sheriff's Salary for collecting the same: Which Quantity of Tobacco, when collected, the said Justices shall be, and they are hereby impowered and directed to apply, and pay for and towards building a Prison for the said County, for the Time being; and the Surplus thereof, if any such shall be, shall be, and is hereby directed to be by the said Justices applied and disposed towards defraying the Charge of the said County.

8th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On the behalf of the Right Honourable the Lord Propry of this Province I will this be a Law.
Sam: Ogle

The Great Seal in wax append[t]

8 June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J. Ross Cl. Up. Ho.

No. 23 An Act to enable the Vestrymen and Churchwardens of Coventry Parish, lying partly in Somerset and Worcester Counties, to purchase two Acres of Land, at some Place between Dividing and Nassaongo Creeks in Worcester County, fit and convenient to build a Chapel of Ease on; and to assess the Parishioners of the said Parish with a certain Sum of Current Money for compleating the same.

[Preamble.] p. 544 Whereas sundry Inhabitants of the upper Part of Coventry Parish, which lies in Worcester County, have by their humble Petition to this present General Assembly set forth, that they have for a long Time been destitute of enjoying the religious Benefit of Divine Service, Sermons, and other Parts of the Ministerial Function, without the greatest Fatigue to them and their Families, occasioned by the great Distance which they live from any Church or Chapel in said Parish; the nearest of which is at least twenty-four Miles from some of them, and in Winter the Ways almost unpassable: And that the Place called the Old Court-House, wherein Divine Service used to be performed before the Division of Somerset County, is now become a private Property.

[Two Acres of Land to be purchased for building a Chapel of Ease on.] Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Vestrymen and Churchwardens of Coventry Parish aforesaid (which lies partly in Somerset County, and other Part in Worcester County aforesaid), for the Time being, or the major Part of them, be and are hereby authorized, impowered and required to purchase in Fee, in the Name of the Rector, Vestry-

men, and Churchwardens of the said Parish for the Time being, two Acres of Land, lying in Worcester County, in the Parish aforesaid, near to the present Dwelling Plantation of a certain Angelo Atkinson, on a Tract of Land belonging to Mr. John Scott; and to treat and agree with such Person or Persons as they or the major Part of them shall think proper to employ, to build a Chapel of Ease thereon, for the Use of the Inhabitants of the said Parish: Which said Land, when so purchased, and the said Chapel so built, the same shall be, and is hereby declared to be constituted and deemed the Land and Chapel of Ease of the said Parish, and the said Chapel for ever hereafter shall be supported and repaired at the Charge of the said Parish. Liber B.L.C.

And be it further Enacted, That the Justices of Somerset and Worcester County Courts for the Time being, shall be, and they are hereby authorized, directed, and required to assess and levy on the taxable Inhabitants of the said Parish, any Sum not exceeding one hundred and fifty Pounds Current Money by three equal Assessments, in the Years of our Lord One thousand seven hundred and fifty-one, One thousand seven hundred and fifty-two, and One thousand seven hundred and fifty-three, together with the Sheriff's Salary of five per Cent for collecting the same; which said Assessments shall be respectively made by the Justices aforesaid, in Proportion to the taxable Inhabitants of the said Parish of Coventry, residing in their several and respective Counties, and to be paid by the Parishioners aforesaid by the tenth Day of April yearly: Which said Assessments to be levied shall be collected by the Sheriff of Somerset and Sheriff of Worcester Counties, from the several taxable Persons of the said Parish, who shall reside within their Counties respectively; and the said Sum of Money when so as aforesaid collected, shall be paid by such Sheriffs respectively to the Vestrymen and Churchwardens aforesaid, who are hereby authorized and required to receive and apply the same to the Uses aforesaid. [Money to be levied for the Purposes before mentioned.]

8th June 1751
Read & Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law.
Sam: Ogle

The Great Seal in wax appendant

8th June 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J. Ross, Ct. Up. H.

An Act to repeal Part of an Act entituled, An Act to encourage the destroying of Squirrels and Crows in the several Counties therein mentioned. No. 24 p. 545

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the [Part of an Act repealed.]

Liber B. L. C. same, That so much of the Act aforesaid, as relates to the obliging the Inhabitants of St. Mary's County, to bring one Squirrel or Crow's Head; and also so much of the said Act, as gives a Bounty for killing Squirrels or Crows within the said County, be and is hereby repealed, abrogated, made null and void.

8th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl. lo. ho.

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam: Ogle.

The Great Seal in Wax Appendant

8th June 1751
Read and Assented to by the Upper house of Assembly
Signed p Order
J Ross Cl. Up. Ho.

No. 25 An Act for laying out and erecting a Town on Potowmack River, above the Mouth of Rock Creek in Frederick County.

[Preamble.] Whereas several Inhabitants of Frederick County, by their humble Petition to this General Assembly, have set forth, that there is a convenient Place for a Town on Potowmack River, above the Mouth of Rock Creek, adjacent to the Inspection-House in the County aforesaid; and prayed that sixty Acres of Land may be there laid out, and erected into a Town.

[Commissioners appointed to purchase Land for the said Town.] Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Capt. Henry Wright Crabb, Master John Needham, Master John Clagett, Master James Perry, Master Samuel Magruder the third, Master Josias Bealle, and Master David Lynn, shall be and are hereby appointed Commissioners for Frederick County aforesaid; and are hereby authorized and impowered, as well to buy and purchase sixty Acres, Part of the Tracts of Land belonging to Messieurs George Gordon and George Bell, at the Place aforesaid, where it shall appear to them, or the major Part of them, to be most convenient, as to survey and lay out, or cause the same to be surveyed and laid out, in the best and most convenient Manner, into eighty Lots, to be erected into a Town.

[Commissioners or a Jury, to value such Land.] And be it further Enacted by the Authority, Advice, and Consent aforesaid, That the Commissioners aforesaid, before nominated and appointed, or the major Part of them, are hereby impowered and required, at some Time by them, or the major Part of them, to be appointed, before the first Day of October next, to meet together on the Land aforesaid, or at some other Place near and convenient thereto; and then and there treat and agree (if the same can be done on reasonable Terms) with the Owner or Owners, and Person or Persons, interested in the same sixty Acres of Land, for the Purchase thereof. And if it shall happen that the said Owner or Owners, Person or Persons, will not agree with the said Commissioners

for such Rate or Price as they the said Commissioners, or the major Part of them, shall think reasonable, or shall refuse to make Sale of the same; or that through Nonage, Coverture, or any other Disability or Impediment, shall be disabled to make such Sale; that then and in any such Case, the Commissioners aforesaid, or the major Part of them, shall, and are hereby impowered and required to issue a Warwant under their Hands and Seals, directed to the Sheriff or Coroner of Frederick County aforesaid for the Time being, commanding him to summon and impannel a Jury of seventeen good and lawful Men, Freeholders of his Bailiwick, to be and appear at the Day and Place, in such Warrant to be mentioned; which Sheriff is hereby required and obliged to execute the same: And that Jury being by the said Commissioners charged and sworn, shall, upon their Oath, enquire, assess, and return what Damages or Recompense they shall think fit to be paid and given to such Owner or Owners, Person or Persons, for the sixty Acres of Land aforesaid, and that whatever Sum or Sums of Money such Jury shall so assess and award, shall and is hereby declared to be the Value and Price to be paid to such Owner or Owners, Person or Persons, interested in the sixty Acres of Land aforesaid. But if the said Jury shall assess and value the said Land at a less Price than fifty Shillings Current Money for each Acre; then and in such Case, the Purchaser or Purchasers of such Land shall pay such further Sum, over and above what shall be the Valuation of the said Jury, as shall make up the full Sum of fifty Shillings like Money as aforesaid, for every Acre, to be paid to such Proprietor or Proprietors as aforesaid. Liber B.L.C. p. 546

[The said Land to be surveyed, and laid out in 80 Lots.]

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That after the Agreement and Purchase of the Commissioners aforesaid, or after the Assessment and Return of the Jury aforesaid, as the Case shall happen, the aforesaid Commissioners, or the major Part of them, shall, and are hereby required to cause the same sixty Acres of Land to be carefully surveyed, divided, and laid out, by the Surveyor of the County aforesaid, or such other Person as they, or the major Part of them, shall make choice of and appoint for that Purpose, as near as conveniently may be, into eighty equal Lots, allowing such sufficient Space or Quantity thereof for Streets, Lanes, and Alleys, as to them shall seem meet; and the same Lots so laid out shall number with Numbers, One, Two, and Three, and so to Eighty, for distinguishing each Lot from the other; and shall cause the Streets, Lanes, and Alleys to be named and distinguished by certain Names, and by good sufficient Cedar or Locust Posts, to be set up as a Boundary to each of them.

[The Commissioners to fix the Price of each Lot.]

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That the Commissioners, or the major Part of them, shall and are hereby required to assess, set, and ascertain the Price to be paid for each of the Lots aforesaid, according to the Value, Con-

Liber B.L.C. veniency and Situation thereof; so always that the Prices of all the sad Lots added together may amount to the Sum by them agreed for or awarded by the Jury for the aforesaid sixty Acres of Land, and no more: And the aforesaid sixty Acres of Land being so surveyed, laid out, and divided, shall be, and is hereby erected into a Town, and shall be called by the Name of George-Town.

[Owner of the Land to have the Choice of two Lots.] And be it further Enacted, That the Owner or Owners of the aforesaid Land shall and may have his, her, or their Choice of any two of the Lots aforesaid, to be by him, her, or them retained for his, her, or their proper Use; Provided such Choice shall be made and declared to the Commissioners aforesaid, or the major Part of them, within ten Days after the Survey aforesaid shall be made and compleated, and not otherwise; and that after such Choice is made, or in case no such Choice shall be made within the ten Days aforesaid, then after the Expiration of the same ten Days, all Persons whatsoever shall be at Liberty to take up and purchase the same Lots, paying the Owner or Owners aforesaid, or others therein interested, the Price or Value thereof so as aforesaid set and assessed by the Commissioners aforesaid; and that every Person who shall pay as aforesaid the Price of the Lot by him or her so taken up or chosen, or shall prove to the Satisfaction of the said Commissioners, or the major Part of them, that he or she had tendered or offered to pay the said Price to the Owner or Owners aforesaid, and that such Owner had refused to accept or receive the same, and an Entry of such Payment or Tender and Refusal being made according to the Directions hereafter mentioned, such Person shall, and is hereby declared to be, by Virtue of such Payment or Tender and Refusal, and Entry thereof made as aforesaid, and this Act, fully and absolutely invested and seized of and in an Estate of Inheritance in Fee Simple of and in such Lot, to him or her, and his or her Heirs and Assigns for ever, without any Deed, Conveyance, or other Transfer from such Owner or Owners for the same; any Statute, Law, Usage, or Custom, to the contrary notwithstanding.

p. 547

[Purchasers of Lots obliged to build within two years.] Provided always, That it shall not be lawful for any Person to take up, enjoy, have, or possess more than one of the same Lots, within twelve Months after the same are divided and laid out as aforesaid. Provided also, That all and every the Person and Persons aforesaid so taking up the Lots aforesaid, or any of them, shall, and are hereby obliged and required, within two Years after they shall take up their respective Lots as aforesaid, and Entry thereof made as aforesaid, to erect, build, and finish thereon one good and substantial House, that shall cover four hundred square Feet of Ground at the least, and that it be made in every Respect tenantable, with one good Brick or Stone Chimney thereto; and that all and every of such Taker or Takers-up, who shall neglect to build as aforesaid on their respective Lots aforesaid, within the Time herein

for that Purpose limited and appointed, shall lose such, and the Estate of such Taker-up so neglecting as aforesaid shall from henceforth cease and determine, and such Lot or Lots so neglected to be built upon shall be subject to be again taken up by any other Person whatsoever; which second Taker-up, paying to the Commissioners aforesaid the Price thereof so as aforesaid assessed, and Entry thereof made as aforesaid, and building thereon as before directed within the Time before limited after such second taking up, shall have the like Estate in such Lot or Lots as the first Takers-up, who shall comply with the Requisites before mentioned are herein before declared to have; and so Totius Quoties, until the same Lots shall be built on and improved as aforesaid. Liber B.L.C. [How the Money paid by Persons neglecting to build is to be applied.]

And be it further Enacted, That the Money aforesaid, directed to be paid to the Commissioners aforesaid, for the Lots not built on and improved by the first or other Takers-up within the Time herein limited, shall and is hereby directed to be applied to such Purposes, for the Use and Benefit of the said Town, as to the said Commissioners, or the major Part of them, shall seem meet. [Surveyor to make a plat of the said Town.]

And be it further Enacted by the Authority aforesaid, That the Surveyor of the County aforesaid, or any other Person whom the Commissioners aforesaid, or the major Part of them, shall appoint to survey and lay out the Lands aforesaid, as before herein directed, shall make out a fair and exact Plat of the Town aforesaid, and Survey thereof, whereby each Lot, Street, Lane, and Alley may appear to be well distinguished by their respective Numbers and Names; and the same Plat, with a full and plain Certificate thereof, shall deliver to the Commissioners as aforesaid, or the major Part of them, to be entered and Reposited as hereafter directed: And that the said Surveyor, or other Person appointed as aforesaid, shall have and receive for surveying and laying out the Town aforesaid, and making the Plat aforesaid, the Sum of one thousand Pounds of Tobacco, to be payed and allowed in the County Levy, and no more. p. 548 [Reward to the surveyor.]

And be it further Enacted by the Authority aforesaid, That the Commissioners aforesaid, or the major Part of them, shall, and are hereby required to employ some sufficient Person for their Clerk, and shall administer an Oath to such Clerk for the due Performance of his Office; which Clerk shall and is hereby obliged to find and provide a good well bound Book, for registring and entring the Proceedings of the said Commissioners in the Premises, and shall duly and faithfully register and enter in such Book the Certificate of the Survey aforesaid, the Prices of each respective Lot, the Name of the Owner, and the Time of it's being taken up and paid for, or of the Tender or Refusal as aforesaid; and all other the Transactions and Proceedings of the aforesaid Commissioners whatsoever, in and about the Town aforesaid: Which said Register, together with the Plat or Survey of the same Town, shall be carefully examined and [Commissioners to appoint a clerk.]

Liber B. L. C. inspected by the aforesaid Commissioners, or the major Part of them, and after the same is compleated, shall be lodged with, and delivered to the Clerk of the same County, to be by him kept amongst the Records of the same County.

[How he is to be paid.] And be it further Enacted, That the said Commissioners, or the major Part of them, shall limit and ascertain what Fees their Clerk aforesaid shall have and receive for the several Services by him to be done, by Virtue of this Act, to be paid by the several Persons taking up the Lots aforesaid.

[Two Fairs to be held annually in the said Town.] And whereas it may be advantageous to the said Town to have Fairs kept therein, and may prove an Encouragement to the back Inhabitants and others to bring Commodities there to sell and vend: Be it Enacted, That it shall and may be lawful for the Commissioners of the said Town, to appoint two Fairs to be held therein annually, the one Fair to begin on the second Thursday in April, and the other on the first Thursday in October, annually; which said Fairs shall be held each for the Space of three Days, and that during the Continuance of such Fair or Fairs, all Persons within the Bounds of the said Town shall be privileged and free from Arrests, except for Felony or Breach of the Peace; and all Persons coming to such Fair or Fairs, or returning therefrom, shall have the like Privilege of one Day before the Fair, and one Day on their Return therefrom: And the Commissioners for the said Town are hereby impowered to make such Rules and Orders for the holding the said Fairs, as may tend to prevent all Disorders and Inconveniencies that may happen in the said Town, and such as may tend to the Improvement and regulating of the said Town in general; so as such Rules, except in Fair-Time, affect none but Livers in the said Town, or such Person or Persons as shall have a Lot or Freehold therein; any Law, Statute, Usage, or Custom, to the contrary notwithstanding. Provided always, That such Rules and Orders be not inconsistent with the Laws of this Province, nor the Statutes or Customs of Great-Britain.

[Privileges to Persons frequenting the said Fairs.]

p. 549

[Commissioners to remove nuisances.] And be it further Enacted, That the Commissioners for the said Town, or the major Part of them, from Time to Time, and at all Times, shall have Power to remove all Nusances that they shall find in any of the Streets or Alleys of said Town. Provided nevertheless, That this Act, nor any Thing herein contained, shall extend, or be construed to extend, to enable or capacitate the said Commissioners or Inhabitants of the said Town to elect or choose Delegates, or Burgesses, to sit in the General Assembly of this Province, as Representatives of the said Town: But it is hereby Enacted, that the Commissioners or the Inhabitants of the said Town shall not elect or choose any Delegate or Delegates, Burgess or Burgesses, to represent the said Town in any General Assembly of this Province.

[Proviso.]

Liber B. L. C. [Death, Removal, or Refusal of Commissioners, in what manner to be supplied.]

And be it further Enacted, That when and as often as any of the Commissioners aforesaid shall die, or remove from the County aforesaid, or refuse or neglect to join in the Execution of this Act; then and in any such Case the major Part of the other Commissioners aforesaid shall choose others, in the place of such who shall die, refuse, remove, or neglect as aforesaid; and such Person or Persons so chosen, shall have equal Power to act as the other Commissioners herein mentioned.

[Land-Rent to the Lord Proprietary.]

And be it further Enacted by the Authority aforesaid, That all and every Person and Persons taking up and possessing the Lots aforesaid, or any of them, shall be, and are hereby obliged to pay unto the Right Honourable the Lord Proprietary, his Heirs or Successors, the yearly Rent of one Penny Sterling Money for each respective Lot by them so taken up and possessed, to be paid in the same Manner as his Land Rents in this Province now are, or hereafter shall be paid.

Saving unto his his most sacred Majesty, his Heirs and Successors; the Right Honourable the Lord Proprietary, his Heirs and Successors; and to all Bodies Politic and Corporate, and all Persons not mentioned in this Act, their several and respective Rights; any Thing in this Act to the contrary notwithstanding.

8th June 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Cl lo. ho

On behalf of the Right Honble the Lord Propry of this Province I will this be a Law
Sam: Ogle

The Great Seal in wax Appendant

8 June 1751
Read and Assented to by the Upper house of Assembly
Signed p Order
J. Ross Ct. Up. H.

I hereby Certify That Richard Burdus Clerk of the Provincial Court and of the Secretarys Office of the Province of Maryland this Day Personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary of the Province aforesaid his Council of State and made Oath on the Holy Evangels of Almighty God that he Carefully Examined all the Laws Contained in this Book beginning at folio five hundred and twenty three and ending at folio five hundred and forty nine with the Original Acts that Passed the Great Seal

Sworn to this eighteenth Day of July Anno Dom. 1751

Benedt Calvert

SEAL

The Seal of the Provincial Court is hereunto affixed on behalf of Edmund Jenings Esquire Secretary of Maryland.

p R. Burdus Clk Secrys Office & Provin. Court.

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, December 7–December 14, 1751.
Being the First Session of the Assembly Elected in 1751.

FREDERICK CALVERT, LORD BALTIMORE,
Lord Proprietary.

SAMUEL OGLE,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Saturday the 7th day of December in the first Year of his Lordships Dominion Annoq Domini 1751. U. H. J. Liber No. 34 1751, December 7 p. 397

Present

His Excellency Samuel Ogle Esquire Governor

The Honourable { Benjamin Tasker Esq. / Coł George Plater / Edmund Jenings Esq. } { Coł Charles Hammond / Daniel Dulany Esq. / Benedict Calvert Esq. }

Messrs Henry and Harrison from the Lower house acquaint his Excellency that there is a Sufficient Number of Members met to make a house and wait his Excellencys Commands.

Coł Hammond and Benedict Calvert Esq. are Sent to the Lower house to Administer the Oaths to the Government appointed to be taken by Act of Assembly of this Province to the Several Members of that house there Present and Ordered that the Clerk of this house attend them who Administred the said Oaths to the Several Members then Present and they all Subscribed the Abjuration and Test.

Edmund Jenings Esq. is Sent to Acquaint the Lower house his Excellency requires their immediate attendance in the Upper house.

The Members of the Lower house attend & His Excellency requires them to Return to their house & make Choice of a Speaker

Messrs Henry and Smalwood from the Lower house acquaint his Excellency their house had made Choice of a Speaker

Daniel Dulany Esq. is Sent to acquaint the Lower house that his Excellency requires their attendance in the Upper house to Present their Speaker for his Approbation

The Lower house attend and Present Philip Hammond Esq. to his Excellency as their Speaker who is pleased to Approve of their Choice, and then makes the following Speech

Gentlemen of the Upper and Lower houses of Assembly

It is with great concern I now call you together on the melancholy Occasion of the Death of Our late Noble & Worthy Proprietor, whose Loss must be truly lamented by every man who wishes well to the Trade and Prosperity of Great Britain, and especially of her Colonies, whose happiness, from the Strongest Motives of Inclination and Interest he had constantly & Sincerly at heart p. 398

U. H. J. Liber No. 34 December 7

But however great our Own particular Loss may be by this unhappy Event, on which I Sincerely condole with You, It must be no Small Satisfaction to Us to think that our Present Lord Proprietor is so near being of age from whose early Good Sence and other Promising Qualities, We have all the Reason in the world to hope for the enjoyment of those Blessings that Naturally flow from a mild and equitable Government whoever may be Intrusted with the Administration of affairs.

As for my own part I can truly Say it has been Always my Sincere desire to Promote Your Welfare, in every respect to the utmost of my Power; nor indeed can the Proprietor be Served any other way so effectually, as his Revenue must of Course increase with the Number and Riches of his Tenants.

But it is unnecessary to enlarge on this Subject or to recommend any Particular Laws at present to Your Consideration as my only view in meeting You at this unseasonable Time of the Year is to give you an Opportunity of aiding Such of our late Publick Proceedings as may have any difficiency in Point of Law; and when this is done I presume you will be desirous of returning immediately to your respective homes.

Mess[rs] Lee and Scarborough from the Lower house acquaint his Excellency that their house had made Choice of M[r] Michael Macnemara for their Clerk, and hopes for his Excellencys Approbation to whom his Excellency is pleased to declare that he approves of their Choice.

Mess[rs] Lee and Smalwood from the Lower house attend with M[r] Michael Macnemara Clerk of the said house in order to See him Qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly and Subscribes the Abjuration and Test and also takes the usual Oath of Office, and then withdraws.

Adjourned till Monday Morning ten of the Clock

December 9

Monday Morning the 9th of December 1751.

This house met again according to Adjournment

Present as on Saturday with
the Addition of Col Tasker

Mess[rs] Henry and Hopper from the Lower house attend with John Goldsborough a Member elected for Talbot County John James Mackall, Benjamin Mackall & Thomas Reynolds Members elected for Calvert County, Alexander Williamson William Rassin and
p. 399 Abraham Falkner, Members elected for Kent County, Henry Hooper Ennals Hooper Charles Goldsborough and Daniel Sullyvan Members elected for Dorchester County, Michael Earle a Member elected for

Cecil County, and Thomas Franklin a Member elected for Baltimore County in order to See them Qualified, who severally take the Oaths to the Governm[t] required by Law repeat and Subscribe the Abjuration & Test and then withdraw. U. H. J. Liber No. 34 December 9

His Excellency is Pleased to communicate to this house the following Message

Gentlemen of the Upper house of Assembly

The melancholy News of the Death of the Prince of Wales, not ariving time enough to be communicated to the last Assembly You may not perhaps think it yet too late to Joyn in a General Address to the King, expressing Our great Grief and Sorrow on this ever to be lamented Occasion; and Our Gratitude and Thankfulness to his Majesty for his paternal Care and Goodness in Providing for the General Safety of his Dominions, and the Security of the Protestant Religion by establishing the Regency in the Hands of Her Royal Highness the Princess Dowager of Wales, in Case the Crown of these Realms should descend to any of the Issue of his late Royal highness the Prince of Wales before they shall attain the age of Eighteen Years.

Sam: Ogle

Benjamin Tasker Esq. attended by the Members of this House Presents to his Excellency the Address of this house, which follows in these words.

To His Excellency Samuel Ogle Esq. Governor and Commander in Chief in & over the Province of Maryland.

The Humble Address of the Upper house of Assembly

May it Please Your Excellency

We are truly Sensible and heartily Joyn with Your Excellency in Condolance of the late melancholy Event, which has occasioned this Meeting of Assembly, and indeed every man who has at heart the Trade and Prosperity of Great Britain and especially of her Colonies, must feel with concern the Loss of Our late Noble and Worthy Proprietary, whose Inclinations and Interest concurred so Strongly in Promoting their happiness that it were only to be wished his Power in rendering it compleat had equalled either of these Motives

We Return Your Excellency Sincere Thanks in consoling Us for this Loss by that Agreeable and just Representation You are pleased to make of what may be reasonably Hoped, from the Good Sense & other Promising Qualities of Our present Lord Proprietary. p. 400

Your Excellencys Conduct and readiness in Promoting the Welfare of this Province can leave no Room to doubt but that you are throughly Convinced of the Proprietarys real Interest, and that of the Country being the same; and that the Riches of his Tenants must be a Source of Interest to his own

U. H. J. Liber No. 34 December 9

We shall only further Add an assurance of our Willingness to concur in aiding what Imperfections may have happened in Our late publick proceedings B. Tasker Presid.

Adjourned till to Morrow Morning ten of the Clock

December 10

Tuesday Morning 10th December 1751.

This house met again according to Adjournment

Present as Yesterday with the
Addition of Richard Lee Esq.

Read the Petion of Several of the Inhabitants of the Lower Part of Kent County Praying that Toveys & Langfords Bay Warehouses may be put under Seperate Inspections, referred to the Consideration of the Lower house of Assembly & Sent by Benedict Calvert Esqr

Messrs Bond and Mills from the Lower house attend with Mr Philip Key a Member elected for St Marys County in order to See him Qualified who takes the Several Oaths to the Government required by Law Repeats and Subscribs the Abjuration and Test and then withdraws.

His Excellency is Pleased to communicate his Answer to the address of this house which Answer follows in these words.

Gentlemen of the Upper house of Assembly

I thank you for Your kind Address; The Approbation You are pleased to express of my Conduct cannot but be Agreeable to me as there is nothing I wish for more heartily than to make my Administration of Real Service to the Province.

Sam: Ogle

Adjourned till to Morrow Morning ten of the Clock

December 11

Wednesday Morning 11th December 1751.

This house met again according to Adjournment

Present as Yesterday

The following Message is Sent to the Lower house by Richard Lee Esquire

p. 401

By the Upper house of Assembly 11th December 1751.

Gentlemen

His Excellency having been pleased to communicate to this House an Address presented to him this day by Your house in Relation to the drawing up an Address to be presented to his Majesty; This house hath appointed Colł George Plater and Daniel Dulany Esq. to Joyn such Members Your house shall nominate for that Purpose.

Signed p Order John Ross Clł Up H.

Adjourned till to morrow Morning ten of the Clock

Thursday Morning 12th December 1751. U. H. J. Liber No. 34 December 12

This house met again according to Adjournment.

Present as Yesterday with the
Addition of Col Edward Lloyd

Messrs Hyland and George from the Lower house attend with Benjamin Pearce a Member elected for Cecil County in order to See him Qualified who takes the Oaths to the Government required by Law Repeats and Subscribs the Abjuration and Test and then withdraws.

The following Message is Sent to the Lower house by Col Loyd

By the Upper house of Assembly 12th December 1751.

Gentlemen

We have been Informed that Some of the Timbers of the House designed for the Governor are Rotten, a Great many of the Shingles Stolen and the other Materials in danger of being Rendered quite useless; We apprehend that it will be of Service to the Publick to make Some Enquiry into the truth of what We have been told that may be considered Whether it would not be necessary to take proper Measures to prevent a total Loss of the Money already laid out on that house by rendering it fit for some use, if Your Sentiments agree with Ours We propose that Some Members of both houses be appointed to Inspect the house & Materials and make their Report to both houses of the Condition they are in

Signed p Order John Ross Cl Up H

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 13th December 1751. December 13

This house met again according to Adjournment

Present as Yesterday

Two Bills from the Lower house by Messrs Barnes and Selby, One Entd for dividing Certain Warehouses in Talbot County therein Named, and the other Entituled An Act for the Speedy Recovery of Small debts out of Court before a Single Justice of the Peace, both thus Endorsed

By the Lower house of Assembly 11 December 1751. p. 402

Read the first Time & Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo Ho

By the Lower house of Assembly 11th December 1751.

Read the Second Time by especial Order and will Pass.

Signed p Order M Macnemara Cl Lo H.

U. H. J. Liber No. 34 December 13

Read the first Time in this house and Ordered to Lye on the Table

A Message from the Lower house by Mess[rs] Stoddart & Gillis

By the Lower house of Assembly 13[th] December 1751.

May it please Your Honours

In answer to your Message of the 11[th] Instant by Richard Lee Esq. this house hath appointed M[r] Key Doctor Carroll Col Henry Hooper and M[r] Tilghman to Joyn the Members appointed by Your honours to draw up an Address to be presented to his Majesty

Signed p Order M Macnemara Cl Lo H.

Read the Petition of George Gordon of Frederick County Praying a Bill may be brought in to explain the Act for laying out and erecting a Town on Patowmack River above the Mouth of Rock Creek in Frederick County made at the last Session of Assembly Referred to the Consideration of the Lower house of Assembly by Col Tasker

Read the Second Time by especial Order the Bill Ent[d] An Act for Dividing Certain Ware houses in Talbot County therein Named, and will pass, Sent to the Lower house by Edmund Jenings Esq[r]

Adjourned till to Morrow Morning ten of the Clock.

December 14

Saturday Morning 14th December 1751.

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess[rs] Goldsborough & Murdock Entituled An Act for the Continuation of Actions & Securing the Peace and Good Government of this Province, thus Endorsed.

By the Lower house of Assembly 13[th] December 1751.

Read the first Time and Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H

By the Lower house of Assembly 14th December 1751

Read the Second Time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house and Ordered to lye on the Table

The following Address to his Majesty being Read is approved of by this house and Signed by the President

To the Kings Most Excellent Majesty

p. 403 The Humble Address of the Governor & the Members of the Upper & Lower houses of Assembly of the Province of Maryland May it please Your Majesty

We Your Majestys most dutiful and Loyal Subjects the Governor and the Members of the Upper and Lower houses of Assembly of the Province of Maryland, beg leave to embrace this Opportunity,

being the first We have had since the News of the Ever to be lamented Death of his Royal highness the late Prince of Wales, to joyn in condoling with the Rest of your Majestys Subjects that Sad and melancholy Event; which nothing could alleviate, but Your Majestys Royal Wisdom & paternal Goodness to Your Majestys British Dominions and the Security of the Protestant Religion, and Liberty of your Majestys Subjects, by establishing the Regency in her Royal Highness the Princess Dowager of Wales, in Case One of Your Royal descendants should ascend the Throne during his Minority U. H. J. Liber No. 34 December 14

This remarkable Instance of Your Majestys Care to continue the Same Blessings to latest Posterity, that your Majestys Subjects have enjoyed under your auspicious Reign, cannot fail of filling the hearts of all Your Majestys Loyal Subjects, with the deepest Sense of Gratitude & inspire them with the most Sincere Affection and inviolable attachment to Your Majestys Royal Person and Family, for which We in common with Our fellow Subjects beg leave to render your Majesty Our most humble and hearty Thanks, and We beseech Almighty God to Prolong your Majestys Life and Reign Over Us and that the British Throne may always be filled with your Royal descendants to the End of Time

His Excellency being present is pleased to Signe the same, Sent to the Lower house by Col Plater

The said Address Signed by the Speaker of the Lower house is brought by Mess^{rs} Key and Murdock

Read the Second time the Bill Entituled An Act for the Continuation of Actions and Securing the Peace and Good Government of this Province; and will pass with the following Amendments, in the 7th Line of 2^{d} Page after the word, before, incert the words, or since, after the word, and, in the same Line incert these words, which either hath been determined or Still depend and continue undetermined instead of the words, remained undetermined untill or after the time of his Death or Demise, in the 8th Line of the same Page, after the word, hereby, incert, Deemed, in the same Line after the word effectually, incert, Determined, instead of the word, Estate, in the 1st Line of 4th Page put State, Leave the word, Statute, in 17th Line of 2^{d} Page in 6th Line of 3^{d} Page and in the last line of the last Page, Sent to the Lower house by Col Hammond

Read the Second time the Bill Entituled An Act for the Speedy Recovery of Smal Debts out of Court before a Single Justice of the Peace, and will not Pass, Sent to the Lower house by Benedict Calvert Esq^{r} with the following Message p. 404

By the Upper house of Assembly 14th December 1751.

Gentlemen

As our meeting in Assembly at this time was designed only for what might be Absolutely necessary and not for business in General,

U. H. J. Liber No. 34 December 14

We have returned the Bill Entituled an Act for the Speedy Recovery of Small Debts out of Court before a Single Justice of the Peace with a Negative

Signed p Order John Ross Cl Up H.

A Message from the Lower house by Mess[rs] Tillotson & Gills

By the Lower house of Assembly 14[th] December 1751.

May it Please Your Honours

This house having agreed that the Sum of Twenty Pounds Sterling be Paid on Account of the Expence for bringing from Boston two Prisoners charged with having committed a Murder of which one of them has been Convict, Proposes, that the Same be paid by a Bill of Exchange drawn by the Treasurer of the Western Shore on M[r] William Hunt Merchant in London payable to his Excellency the Governor and desire Your honours Concurrance therewith

Signed p Order M Macnemara Cl Lo H.

Adjourned till four of the Clock in the Afternoon.

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The following Message is Sent to the Lower house by Richard Lee Esq.

By the Upper House of Assembly 14[th] December 1751.

Gentlemen

In Answer to your Message of this day by Mess[rs] Tillotson & Gillis this house agrees that the Money for bringing the Two Prisoners from Boston charged with committing a Murder in this Province be paid to his Excellency the Governor by a Bill of Exchange drawn by the Treasurer of the Western Shoar

Signed p Order John Ross Cl Up H.

An Engrossed Bill from the Lower house by Mess[rs] Goldsborough and Tilghman Entituled An Act for the dividing certain Warehouses in Talbot County therein named, thus Subscribed

14th December 1751.

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Cl Lo H.

Read and Assented to by this house & Ordered to be so Subscribed.

p. 405 An Engrossed Bill from the Lower house by Mess[rs] Key & Hollyday Entituled an Act for the continuation of Actions and Securing the Peace and Good Government of this Province, thus Subscribed.

14th December 1751. U. H. J. Liber No. 34 December 14

Read and assented to by the Lower house of Assembly
Signed p Order M Macnemara Cl Lo H.

Read and assented to by this house and Ordered to be so Subscribed

The two Paper Bills the Originals whereof have Passed this house this Session of Assembly are Sent to the Lower house by Col Tasker

Messrs Henry and Dulany from the Lower house acquaint his Excellency there house have no business before them

Daniel Dulany Esq. and Col Lloyd are Sent to the Lower house to acquaint the Speaker that his Excellency requires his immediate attendance with the Lower house in the Upper house to See the Laws passed both houses this Session Receive the Assent

The Lower house attend and by their Speaker Present to his Excellency the following Bills Vizt

An Act for the Dividing Certain Warehouses in Talbot County therein Named

An Act for the Continuation of Actions and Securing the Peace and Good Government of this Province

Both which his Excellency Passed into Laws in the Usual form by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms and Subscribing them on behalf of the Right honourable the Lord Proprietary of this Province I WILL THIS BE A LAW.

After which his Excellency was pleased to Conclude this Session with the following Speech

Gentlemen of the Upper and Lower houses of Assembly

The Business of this Session being at an End I have thought fit with the Advice of his Lordships Council of State to Prorogue this Assembly to the first Tuesday in April next, and You are to take Notice you are Prorogued to that day accordingly

Thus Ends this Session of Assembly begun and held at the City of Annapolis on Saturday the 7th day of December and Ending on Saturday the 14th day of the same Month in the first Year of his Lordships Dominion in the 25th Year of his Majestys Reign Annoq Domini 1751. J Ross Cl

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

L. H. J. Liber No. 47 1751, December 7 p. 189

At a Session of Assembly begun and held at the City of Annapolis, on Saturday the 7th Day of December, Anno Domini 1751, and in the first Year of the Dominion of the Right Honourable Frederick, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. (his Excellency Samuel Ogle, Esq; being Governor,) the following Delegates appeared in the Lower House of Assembly; viz.

For Anne Arundel County

Mr. Thomas Worthington
Philip Hammond, Esq
Dr. Charles Carroll
Major Henry Hall

For Calvert County

Mr. Edward Gantt

For Charles County

Capt. Arthur Lee
Mr. John Stoddert
Mr. Bayne Smallwood
Col. Richard Harrison

For Somerset County

Mr. Henry Waggaman
Mr. Joseph Gillis
Col. Robert Jenckins Henry
Mr. John Handy

For Talbot County

Mr. Edward Oldham
Mr. Pollard Edmonson
Mr. Matthw Tilghman

For Cæcil County

Mr. Nicholas Hyland
Mr. Sidney George

For Prince George's County

Mr. Turnor Wootton
Capt. John Addison
Mr. William Murdock

For Queen Anne's County

Capt. William Hopper
Mr. Thomas Wilkinson
Mr. John Tillotson

For the City of Annapolis

Capt. Robert Gordon
Mr. Walter Dulany

For Baltimore County

Mr. Willam Govane
Mr. Lloyd Buchanan

For Worcester County

Mr. John Purnell
Major John Selby
Mr. John Evans
Col. John Scarborough

For Frederick County

Daniel Dulany, junior, Esq
Capt. Henry Wright Crabb
Mr. Joseph Chaplain
Mr. Nathan Magruder

A sufficient Number of Delegates, to compose the Lower House of Assembly, being convened at the Stadt-House, Col. Robert Jenckins Henry and Col. Richard Harrison went and acquainted his Excellency the Governor therewith. L. H. J. Liber No. 47 December 7

Col. Hammond and Benedict Calvert, Esq; of the Upper House, and Mr. John Ross, Clerk, came into the Stadt-House; in whose Presence the aforesaid Delegates took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and subscribed the Test.

Edmund Jenings, Esq; from the Upper House, acquaints the Members of this House, that the Governor requires their Attendance in the Council Chamber.

The Members of the Lower House went and attended his Excellency, who directed them to return and make Choice of a Speaker: They returned, and unanimously made Choice of Philip Hammond, Esq; a Representative of Anne Arundel County, to be their Speaker; and placed him in the Chair.

Col. Henry and Mr. Smallwood are sent to acquaint his Excellency, that this House hath made Choice of a Speaker.

Daniel Dulany, Esq; from the Upper House, acquaints the Members of this House, that the Governor requires their Attendance to present their Speaker.

The Members of the Lower House went to the Upper House, and presented the Speaker to the Governor.

His Excellency approved the Choice, and made the following Speech: (See pages 639-640)

Mr. Speaker returned (with the rest of the Members of the Lower House), and resumed the Chair. p. 190

The House proceeded to the Choice of a Clerk, and chose Mr. Michael Macnemara. Ordered, That Capt. Lee and Col. Scarborough do acquaint his Excellency therewith, and desire his Approbation: They return, and acquaint Mr. Speaker they delivered the Message, and that the Governor signified his Approbation of the Choice. Ordered, That Capt. Lee and Col. Scarborough do go with Mr. Macnemara to the Upper House to see him qualified, as Clerk of this House: They return, and acquaint Mr. Speaker that they saw him take the several Oaths to the Government required by Law, subscribe the Oath of Abjuration, repeat and subscribe the Test, and take the following Oath of Office; viz.

You Michael Macnemara do swear, that, as Clerk of the Lower House of Assembly, you shall true Entries make of all such Matters and Things, as by the Honourable Speaker for the Time being, and that House, shall be to you directed; the Secrets of the said House you shall not divulge, to the Prejudice of the House, or any Member thereof; but shall in all Things, as Clerk to the said House, well and

L. H. J. Liber No. 47 December 7

truly demean yourself according to the best of your Knowlege. So help you God.

The House appointed Mr. Thomas King Serjeant at Arms, and Mr. Thomas Sparrow Door-keeper; and Ordered That they do severally take the Oaths to the Government, and Oath of Office.

The House adjourns until 2 of the Clock.

p. 191

Post Meridiem.

The House met according to Adjournment.

Ordered, That Mr. Worthington, Mr. Wootton, Mr. Stoddert, Mr. Smallwood, Mr. John Goldsborough, Mr. Hyland, and Mr. Tilghman, be a Committee of Elections and Privileges.

Ordered, That Dr. Carroll, Col. Hooper, Capt. Addison, Mr. Murdock, Mr. John Goldsborough, Mr. Stoddert, and Mr. Smallwood, be a Committee of Grievances and Courts of Justice.

Ordered, That Dr. Carroll, Col. Henry Hooper, Col. Henry, Mr. Key, Daniel Dulany, Esq; Mr. Tilghman, and Major Hall, be a Committee of Laws.

Ordered, That Mr. Worthington, Mr. Wootton, Mr. Murdock, Mr. Waggaman, and Mr. Magruder, be a Committee of Accounts.

Ordered, That Capt. Addison, Mr. James John Mackall, Capt. Hopper, Capt. Crabb, and Mr. Oldham, be a Committee to enquire into the State and Condition of the Arms and Ammunition, and Accounts relating thereto.

Ordered, That Major Barnes, Capt. Bond, Col. Harrison, Mr. Walter Dulany, and Capt. Lee, be a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly.

Resolved, That the Hours of Sitting for Dispatch of the public Business, be from Ten of the Clock in the Forenoon until Three of the Clock Afternoon.

Ordered, That Mr. Worthington do acquaint the Reverend Mr. Malcolm, that he is desired by this House to read Divine Service, at Eight of the Clock in the Forenoon and at Four of the Clock Afternoon, during this Session.

The House approves the following Rules; viz.

1. That no Member of this House shall use any reviling Speeches, or name any Member by his proper Name, otherwise than for Distinction's Sake; but shall rather use some other Signification, as, The Gentleman that spoke last, or the like.

2. That no Member speak above once at the reading of any Bill or Debates, without License of the Speaker and the House; and if two Persons, or more, shall rise up together, the Speaker shall appoint who shall speak first; and no Member shall interrupt any other, until the Gentleman speaking hath ended.

3. That none shall deliver his Opinion, or speak to any Bill or Debate, unless he shall stand up, and reverently direct his Speech to the Speaker. L. H. J. Liber No. 47 December 7

4. That every Bill proposed to the House shall be read two several Days before it is sent to the Upper House, and once after, before it be ingrossed, and that between every Reading one Day shall be intermitted; and that in that Time the Bill be laid on the Table, for the Perusal of all the Members; unless, on very urgent Occasion, Mr. Speaker, with the Consent of the House, shall dispense therewith; and then one Bill being read twice at one Sitting, shall be as sufficient as if read several Days, when so entered in the Clerk's Journal.

5. That no Person shall come into the House of Assembly whilst the same is sitting, with Sword or other Weapon, upon Penalty of such Fine as shall be imposed on them by the Speaker, not exceeding five Shillings for any Offence.

6. That if any Member, bound to attend this Assembly, shall be absent at the Hours and Place appointed, after the Number of twelve of the Members, with the Speaker, are met, according to the Order for sitting, shall be fined according to the Discretion of the Speaker, not exceeding Five Shillings for any Offence; unless upon such lawful Excuse as the Speaker shall admit of. p. 192

7. All Misdemeanours which shall happen in the House, shall be censured and fined in the House.

8. That no Bill shall be read at any Time during this Session, 'til all the Members in Town be called in; except on some Excuse to be admitted by the Speaker.

Resolved unanimously, That the following be entered on the Journal as the Resolves of this House; viz.

Resolved by the House, That the Members who are appointed as Members of the Committee of Aggrievances, have likewise the Character of a Committee for Courts of Justice; and that That Character, and the Duty of such Committee be annexed to the said Committee of Aggrievances, as a standing Part of their Duty. And that it be an Instruction to the said Committee of Courts of Justice, that they observe the Nature of all the Commissions to the several Courts of Judicature within this Province; and that they especially observe any Alterations that may at any Time happen by accidental Omission, or otherwise, therein; and particularly relating to such Words therein, as require the several Judges and Justices to hear, try, and determine, according to the Laws, Statutes, Ordinances, and reasonable Customs of England, and of this Province, or to such other Words as have Relation thereto; and that they shall immediately make Report to the House, of any Alteration that shall at any Time happen in such Commission; and likewise to have Regard, as near as may be, to observe wherein they differ from the Forms of the several Sorts of Commissions to the Judges and Justices in England.

L. H. J. Liber No. 47 December 7

Likewise Resolved, That it be an Instruction to the said Committee, to inspect the Form of the Oaths of Office, that have been, and now are usually taken by the several Magistrates; and that in case the following Clause be not inserted in the said Oath, it be reported to the House; such Clause being agreeable to the Oath taken by the Judges in England, and Resolved to be necessary here; viz.

"To do equal Law and Right to all the King's Subjects, rich and poor; and not to delay any Person of common Right, for the Letters of the King, the Lord Proprietary, or of any other, or for any other Cause; but if any such Letters come to them, they shall proceed to do the Law, the same Letters notwithstanding."

And that a Copy of these Resolves be made and given to the said Committee, when they first go out every Sessions; and that making and giving such Copies be the undoubted Duty of the Clerk of this House, and within the Purview of his Oath.

Resolved also, That this Province is not under the Circumstances of a conquered Country; that if it were, the present Christian Inhabitants thereof would be in the Circumstances, not of the Conquered, but of the Conqueror, it being a Colony of the English Nation, encouraged by the Crown to transplant themselves hither, for the Sake of improving and enlarging it's Dominions; which, by the Blessing of God upon their Endeavours, at their own Expence and
p. 193 Labour, has been in great measure obtained: And 'tis unanimously Resolved, that whoever shall advance, that his Majesty's Subjects, by such their Endeavours and Success, have forfeited any Part of their English Liberties, are not Wellwishers to the Country, and mistake it's happy Constitution.

Resolved also, That if there be any Pretence of Conquest, it can be only supposed against the Native Indian Infidels; which Supposition cannot be admitted, because the Christian Inhabitants purchased great Part of the Land they at first took up from the Indians, as well as from the Lord Proprietary, and have ever since continued in an amicable Course of Trade with them; except some partial Outrages and Skirmishes, which never amounted to a general War, much less to a general Conquest, the Indians yet enjoying their Rights and Privileges of Treaties and Trade with the English, of whom we yet frequently purchase their Rights of such Lands as we take up, as well as of the Lord Proprietary.

Resolved further, That this Province hath always hitherto had the Common Law, and such general Statutes of England, as are securitative of the Rights and Liberties of the Subject, and such Acts of Assembly as were made in the Province to suit it's particular Constitution, as the Rule and Standard of it's Government and Judicature; such Statutes and Acts of Assembly being subject to the like Rules of Common Law, or equitable Construction, as are used by the Judges in construing statutes in England; which happy Rules have, by his

Majesty and his Royal Ancestors, and also by his Lordship and his Noble Ancestors, or some of them, been hitherto approved, by having the Commissions of Judicature, to include Directions of that Nature to the several judicial Magistrates; unless those Words have at any Time been casually or carelessly omitted by the Officers in this Province, that drew such Commissions. L. H. J. Liber No. 47 December 7

On Motion, Ordered, That Mr. Speaker do issue his Warrant to the Secretary of this Province, to make out a new Writ of Election, directed to the Sheriff of Prince George's County, to elect a Delegate to serve in this Assembly in the Room of Col. Edward Sprigg, deceased.

A Petition of John Paca and others, complaining of an undue Election in Baltimore County, was preferred to this House; and on reading thereof, Ordered, That the Petitioners be heard to the Facts contained in the said Petition, at the Bar of this House, on Wednesday next, being the 11th Instant; and that the Clerk of this House do issue forthwith Summons for Witnesses to testify relating to the Facts contained in the said Petition, on the Application of any of the Parties concerned.

The House adjourns until Monday Morning at 10 of the Clock.

Monday Morning, December 9, 1751. December 9

The House met according to Adjournment: The Members were called, and all appeared as on Saturday. The Proceedings of Saturday were read.

Mr. John Goldsborough, a Delegate elected to serve in this present Assembly for Talbot County; Mr. James John Mackall, Mr. Benjamin Mackall, and Mr. Thomas Reynolds, Delegates elected to serve for Calvert County; Capt. Alexander Williamson, Mr. William Rezin, and Mr. Abraham Falconer, Delegates elected to serve for Kent County; Col. Henry Hooper, Mr. Charles Goldsborough, Col. Ennalls Hooper, and Mr. Daniel Sulivane, Delegates elected to serve for Dorchester County; Mr. Michael Earle, a Delegate elected to serve for Cæcil County; Mr. James Holliday, a Delegate elected to serve for Queen Anne's County; and Mr. Thomas Franklin, a Delegate elected to serve for Baltimore County; appeared in the House. p. 194

Ordered, That Col. Robert Henry and Capt. Hopper do go with those Gentlemen to the Upper House, to see them there qualified: They return, and acquaint Mr. Speaker they saw the aforesaid Gentlemen take the Oaths to the Government required by Law, severally subscribe the Oath of Abjuration, repeat and subscribe the Test.

The Gentlemen took their Seats in the House.

Ordered, That Mr. Charles Goldsborough and Mr. Hollyday be added to the Committee of Laws.

L. H. J. Liber No. 47 December 9

On motion that an Address be prepared to his Excellency on his Speech, Ordered, That the Committee of Laws do prepare and bring in the same.

Col. Robert Gordon, one of the Members of this House, and a Provincial Magistrate, acquaints Mr. Speaker, that Mr. Thomas King, Serjeant at Arms, and Mr. Thomas Sparrow, Door-keeper, took the Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and subscribed the Test, and severally took the following Oath of Office; viz.

You Thomas King do swear, that you will faithfully, diligently, and honestly discharge the Office of Serjeant at Arms to the Lower House of Assembly, and that you shall not disclose or reveal the Secrets thereof. So help you God.

You Thomas Sparrow do swear, that you will faithfully, diligently, and honestly, discharge the Office of Door-keeper to the Lower House of Assembly, and that you shall not disclose or reveal the Secrets thereof. So help you God.

Dr. Carroll, from the Committee of Laws, acquaints Mr. Speaker, that That Committee had made choice of Mr. Vachel Denton for Clerk; the House approves the Choice: Ordered, That he be qualified in the usual Manner.

Mr. Wootton, from the Committee of Accounts, acquaints Mr. Speaker, that That Committee had made choice of Mr. Beale Nicholson for Clerk; the House approves the Choice, and Ordered, That he be qualified in the usual Manner.

Mr. Wootton, from the Committee of Elections and Privileges, acquaints Mr. Speaker, that That Committee had made choice of Mr. Thomas Harwood for Clerk; the House approves the Choice, and Ordered, That he be qualified in the usual Manner.

The Governor communicates to Mr. Speaker the following Message; viz.

Gentlemen of the Lower House of Assembly,

The melancholy News of the Death of the Prince of Wales not arriving Time enough to be communicated to the last Assembly, you may not perhaps think it yet too late to join in a general Address to the King, expressing our great Grief and Sorrow on this ever to be lamented Occasion; and our Gratitude and Thankfulness to his Majesty, for his paternal Care and Goodness in providing for the general Safety of his Dominions, and the Security of the Protestant Religion, by establishing the Regency in the Hands of her Royal Highness the Princess Dowager of Wales, in case the Crown of
p. 195 these Realms should descend to any of the Issue of his late Royal Highness the Prince of Wales, before they shall attain the Age of Eighteen Years. Sam. Ogle.

On motion that a Bill be brought in, to divide the Inspection Office at Bruff's, Old Field Landing, and Emerson's, Leave is given: Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly. L. H. J. Liber No. 47 December 9

Capt. Bond, Major Barnes, and Mr. Mills, Delegates elected to serve in this Assembly for St. Mary's County, appeared in the House. Ordered, That Mr. Murdock and Mr. Sulivane do go with those Gentlemen to the Upper House, to see them qualified: They return, and acquaint Mr. Speaker, that those Gentlemen took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and subscribed the Test.

The Gentlemen took their Seats in the House.

Mr. Denton, Mr. Nicholson, and Mr. Harwood, severally produced a Certificate to the Clerk of the House, from Mr. John Brice, a Provincial Magistrate, that they had taken the Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and subscribed the Test, and the following Oath of Office; viz.

You do swear, that as Clerk to the Committee of you shall true Entries make of all such Matters and Things, as by this Committee, for the Time being, shall be to you directed; the Secrets of the said Committee you shall not divulge, to the Prejudice of the said Committee, or any Member thereof; but shall in all Things, as Clerk to the said Committee, well and truly demean yourself, according to the best of your Knowlege. So help you God.

A Petition and Representation of Henry Baker, on Behalf of himself and the Freeholders of Cæcil County, complaining and setting forth, that an undue Election for the said County, in Favour of Mr. Michael Earle, was obtained by him the said Michael, &c. was read, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 10 of the Clock.

Tuesday morning, December 10, 1751 December 10

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings were read.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency; which was read, approved, and ordered to be Ingrossed.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Inhabitants of the lower Part of Kent County, praying that a Bill may pass into a Law, to divide Tovey's and Langsford Bay Warehouses; Indorsed, "By the Upper House of Assembly: Read, and referred to the Consideration of the Lower House." Which was here read, and ordered to lie on the Table.

L. H. J. Liber No. 47 December 10 p. 196

Mr. Philip Key, a Delegate returned to serve in this Assembly for St. Mary's County, appeared in the House. Ordered, That Capt. Bond and Major Barnes do go with Mr. Key to the Upper House to see him there qualified: They returned, and acquainted Mr. Speaker they saw him qualified in the usual Manner.

The Gentleman took his Seat in the House.

Major Charles Ridgely, a Delegate returned to serve in this Assembly for Baltimore County, appeared in the House; and it being represented that the Small Pox was raging in his Family, he was desired by Mr. Speaker, on Behalf of the House, to withdraw; with which Request the Gentleman complied.

On motion that a Bill be brought in for the speedy Recovery of small Debts, before a single Magistrate out of Court; Leave is given: Ordered, That the Committee of Laws do prepare and bring in the same.

The Petition of Sarah Perkins, of Kent County, Widow, was read, and referred to the Consideration of next Assembly.

The Petition of the Inhabitants of the lower Part of Kent County was read, and referred to the Consideration of next Assembly.

Mr. John Goldsborough, from the Committee of Grievances and Courts of Justice, acquaints Mr. Speaker that That Committee had chosen Mr. William Wilkins as Clerk: The House approves the Choice, and Ordered, That he do qualify himself in the usual Manner.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, return your Excellency our Thanks for your kind Speech at the Opening of this Session.

It is with just Concern we lament the Death of the late Right Honourable Lord Proprietary of this Province, and condole with your Excellency that melancholy Event; but at the same Time, it is the greatest Satisfaction to us to reflect upon the valuable Qualifications of his Noble Successor, of whose early good Sense, and other promising Qualities, we are assured by your Excellency; and from which we promise ourselves all the Blessings that naturally flow from a mild and equitable Administration.

We congratulate your Excellency upon your Continuance in the Government, and are truly thankful for your Excellency's kind Professions, and sincere Intentions, towards the good People of this Province And as it is certainly true, that the Interest of his Lordship is best promoted by increasing the Number and Riches of his

Tenants here, we hope these Means will be constantly pursued, whoever shall have the Administration of Affairs; and on our Part, we assure your Excellency, we shall always exert our utmost Endeavours to advance the Welfare and Happiness of those we represent. L. H. J. Liber No. 47 December 10 p. 197

We shall immediately set about the Business recommended by your Excellency, and give it all the Dispatch which the Consequence and Nature of it will admit: And altho' at this Season of the Year we may be very desirous of being at our Homes, we shall chearfully forego that Satisfaction, as the immediate Interest of the Public requires our Attendance here.

Which was read and assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Col. Henry Hooper, and Col. R. J. Henry, do acquaint his Excellency that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Col. Hooper, and fourteen more, do present the Address to his Excellency.

On motion that an Address be prepared to his Excellency, in Answer to his Message of Yesterday; Ordered, That the Committee of Laws do prepare and bring in the same.

A Certificate is produced, and lodged with the Clerk of the House, under the Hand of Mr. John Brice, a Provincial Magistrate, that Mr. William Wilkins had taken the Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and subscribed the Test, and took the following Oath of Office:

You William Wilkins do swear, that as Clerk to the Committee of Grievances and Courts of Justice, you shall true Entries make of all such Matters and Things, as by that Committee, for the Time being, shall be to you directed; the Secrets of the said Committee you shall not divulge, to the Prejudice of the said Committee, or any Member thereof; but shall in all Things as Clerk to the said Committee, well and truly demean yourself, according to the best of your Knowlege. So help you God.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker an Address to his Excellency the Governor; which was read, approved, and ordered to be Ingrossed.

The Governor communicates to Mr. Speaker the following Message; viz.

Gentlemen of the Lower House of Assembly,

The Letters, which I now send you from Col. Cresap and Mr. Gist, relate to Matters of such Consequence to the Peace and Safety of the Country, and especially the Borders, that I doubt not you will con-

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sider them in such manner as may prevent any further Complaints from that Quarter.

It may be proper to acquaint you, that the Government of Virginia being alarmed with an Account of some Mischief done by the Indians on their Frontiers, the President of that Colony has appointed a Commissioner to meet the Indians in May next, for Redress of the past, and Prevention of future Disorders: And also I send you what I p. 198 have received as a Copy of the President's Speech to the Indians, on the Subject of their Outrages.

The House adjourns until Tomorrow Morning at 10 of the Clock.

December 11

Wednesday Morning, December 11, 1751.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were read.

Mr. Wootton, from the Committee of Elections and Privileges, delivers to Mr. Speaker the following Report; viz.

By the Committee of Elections and Privileges, December 9, 1751.

Your Committee having inspected the Writs directed to the several Sheriffs, and Returns thereon, for electing Deputies and Delegates to serve in this General Assembly; Do find,

That Mr. Zachariah Bond, Mr. Abraham Barnes, Mr. James Mills, and Mr. Philip Key, Delegates of St. Mary's County, are duly returned:

That Mr. Edward Sprigg, Mr. Turnor Wootton, Mr. John Addison, and Mr. William Murdock, Delegates of Prince George's County, are duly returned:

That Mr. Daniel Dulany, junior, Mr Nathan Magruder, Mr. Henry Wright Crabb, and Mr. Joseph Chaplin, Delegates of Frederick County, are duly returned:

That Mr. James John Mackall, Mr. Benjamin Mackall, junior, Mr. Thomas Reynolds, and Mr. Edward Gantt, Delegates of Calvert County, are duly returned:

That Mr. Thomas Worthington, Mr. Philip Hammond, Mr. Charles Carroll, and Mr. Henry Hall, Delegates of Anne Arundel County, are returned; but no Certificate appears to be indorsed by the Sheriff on the said Writ:

That Mr. Robert Gordon, and Mr. Walter Dulany, of the City of Annapolis, are duly returned:

That Mr. William Govane, Mr. Thomas Franklin, Mr. Charles Ridgely, and Mr. Lloyd Buchanan, Delegates of Baltimore County, are duly returned:

That Mr. Michael Earle, Mr. Benjamin Pearce, Mr. Sidney George, and Mr. Nicholas Hyland, Delegates of Cæcil County, are duly returned:

That Mr. John Goldsborough, Mr. Pollard Edmonson, Mr. Matthew Tilghman, and Mr. Edward Oldham, Delegates of Talbot County, are duly returned: L. H. J. Liber No. 47 December 11

That Mr. Thomas Wilkinson, Mr. John Tillotson, Mr. William Hopper, and Mr. James Hollyday, Delegates of Queen Anne's County, are duly returned:

That Mr. Daniel Sulivane, Mr. Ennalls Hooper, Mr. Charles Goldsborough, and Mr. Henry Hooper, Delegates of Dorchester County, are duly returned:

That Mr. Henry Waggaman, Mr. Joseph Gillis, Mr. Robert Jenckins Henry, and Mr. John Handy, Delegates of Somerset County, are duly returned:

That Mr. Arthur Lee, Mr John Stoddert, Mr. Bayne Smallwood, and Mr. Richard Harrison, Delegates of Charles County, are duly returned; but no Certificate appears to be indorsed by the Sheriff on the said Writ: p. 199

That Mr. Alexander Williamson, Mr. William Rezin, Mr. John Gresham, and Mr. Abraham Falconar, Delegates of Kent County, are returned; but no Certificate appears to be indorsed by the Sheriff on the said Writ.

That Mr. John Scarborough, Mr. John Evans, Mr. John Selby, and Mr. John Purnell, Delegates of Worcester County, are returned; but no Certificate appears to be indorsed by the Sheriff on the said Writ.

Your Committee begs Leave further to represent to your Honourable House, That Mr. William Rezin, a Delegate returned for Kent County, was an Inspector until the first Day of December, in the Year of our Lord 1749; and that the Election for said County was on the eleventh Day of November, 1751: As also, That we are informed Mr. Abraham Falconer, a Delegate returned for said County, kept Ordinary at the Time of his being elected. All which is humbly submitted to your Honourable House.

Signed per Order, Thomas Harwood, junior, Cl. Com.

The House concurs with the said Report; and Ordered, That Notice be given to the Sheriffs of Anne Arundel, Charles, Worcester, and Kent Counties, to attend this House on the second Day of the next Session of Assembly, to certify the Execution (according to the Direction) of the Writs of Election on which they proceeded to elect the several Members, returned by them respectively to serve in this Assembly, as Delegates for the said Counties; and that the Clerk of this House do make out Notices in Writing, and cause the same to be served on the said Sheriffs, that there be a due Obedience made thereto.

On considering the Report from the Committee of Elections and Privileges, relating to the Election of Mr. William Rezin, a returned

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Delegate for Kent County; Resolved, That Mr. William Rezin is not duly elected Delegate for Kent County; it appearing, that he was an Inspector within two Years next before the Time of his being elected.

Ordered, That Mr. Speaker do acquaint the Gentleman with the Resolution of the House, and that he is discharged from his farther Attendance.

Mr. Speaker acquainted Mr. Rezin accordingly, and he withdrew.

On Consideration of the said Report, relating to the Election of Mr. Abraham Falconar, a Delegate returned for Kent County; Resolved, That Mr. Abraham Falconar is not duly elected a Delegate for Kent County; it appearing that he acted as an Ordinary-Keeper at the Time of his being elected.

Ordered, That Mr. Speaker do acquaint Mr. Falconer with the Resolution of the House, and that he is discharged from his further Attendance.

Mr. Speaker acquainted the Gentleman accordingly, and he withdrew.

Ordered, That Mr. Speaker do issue his Warrant to the Secretary of the Province, to make out a new Writ of Election, directed to the Sheriff of Kent County, to elect two Delegates to serve in this Assembly for the said County, in the Room of Mr. William Rezin and Mr. Abraham Faulkoner.

p. 200

The Governor communicates to Mr. Speaker the following Answer to the Address of this House; viz.

Gentlemen of the Lower House of Assembly,

I Return you Thanks for your kind and obliging Address; and you may be always assured of my Readiness to concur with you, in any Thing that can be proposed for the Advancement of the Welfare and Happiness of those you represent. Sam Ogle.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the speedy Recovery of small Debts out of Court, before a single Justice of the Peace; which was read the first Time, and ordered to lie on the Table.

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the dividing certain Warehouses in Talbot County, therein named; which was read the first Time, and ordered to lie on the Table.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The Humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Excellency's Message of the 9th Instant, proposing that this House would join in an Address to his Majesty,

expressing our Sorrow on the ever to be lamented Occasion of the Death of his late Royal Highness the Prince of Wales; and acknowleging our Gratitude and Thankfulness to his Majesty, for his paternal Care and Goodness towards his Subjects. This House will most heartily join in such Address; and to that End, are ready to join some of our Members with such as shall be appointed by the Honourable Upper House, to prepare the same. L. H. J. Liber No. 47 December 11

Which was read, assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Key and Mr. J. J. Mackall do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Waggaman, and three more, do present the Address.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the following Message; viz. (See page 642)

The Bill entituled, An Act for the speedy Recovery of small Debts, &c. was read the second Time by an especial Order, and passed. p. 201

The Bill entituled, An Act for the dividing of certain Warehouses in Talbot County, therein named, was read the second Time by an especial Order, and passed.

The Petition of John Paca, and others, which was appointed to be heard this Day, is referred for an Hearing on the Morrow.

The House adjourns until Tomorrow Morning at 10 of the Clock.

Thursday Morning, December 12, 1751. December 12

The House met according to Adjournment: The Members were called, and all appeared as yesterday. The Proceedings of Yesterday were read.

Mr. Benjamin Pearce, a Delegate returned for Cæcil County, appeared in the House.

Ordered, That Mr. Hyland and Mr. George do go with Mr. Pearce to the Upper House, to see him take the several Oaths to the Government required by Law, &c. They return, and acquaint Mr. Speaker they saw him qualified in the usual Manner.

The Gentleman took his Seat in the House.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker the following Message; viz. (See page 643)

Ordered, That Mr. Key, Dr. Carroll, Col. H. Hooper, and Mr. Tilghman, do join the Members appointed by the Upper House, in drawing an Address to be presented to his Majesty.

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The Petition of John Paca, and others, complaining of an undue Election in Baltimore County came on to be heard at the Bar of the House this Day.

Upon hearing the Allegations, Proofs, and Defence, and after mature Deliberation, it appears to the House, that the Sheriff of the said County did not give ten Days Notice of the said Election, agreeable to the Tenor of his Writ: That the Clerk who took the Poll was not sworn, as by Law he ought: And likewise, That altho' many of the Candidates requested and agreed, that the said Sheriff might adjourn the Election to the next Day, he omitted so to do; whereby p. 202 many Voters were deprived of an Opportunity of giving their Votes.

Resolved therefore, That the same is a void Election; and that Mr. William Govane, Mr. Lloyd Buchanan, Mr. Thomas Franklin, and Major Charles Ridgely, are not duly elected Delegates for the said County, and that they be dismissed from any further Attendance.

Ordered, That Mr. Speaker do acquaint those Gentlemen with the Resolution of the House; which he did accordingly. The Gentlemen withdrew.

Resolved, That Major Thomas Sheredine be fined the Sum of Twenty Shillings Sterling Money, for his Misconduct at the late Election for Baltimore County.

Ordered, That the Committee of Accounts do tax the several Fees due to the Officers of the House, and to Witnesses summoned for their Attendance, relating to the Petition of John Paca, and others, and make Report to the House.

Ordered, That Mr. Speaker do issue his Warrant to the Secretary of this Province, to issue a new Writ of Election directed to the Sheriff of Baltimore County, to elect four Delegates to serve in this present Assembly, in the Room of those whose Election is declared void.

The Governor communicates to Mr. Speaker the following Message; viz.

Gentlemen of the Lower House of Assembly,

You will see by the Letter from Mr. Phipps, the Lieutenant-Governor of the Massachusetts Bay, which I here send you, what is expected from us; and I hope yo uwill enable me to comply with the Draught made on me, as well as the Money demanded for the Prisoners at Canada, and sent from Quebeck to Boston.

Sam. Ogle.

Ordered, That the Serjeant at Arms, attending this House, do take into his Custody the Body of Major Thomas Sheredine, and him safe keep, until he be discharged by Order of the House.

The House adjourns until Tomorrow Morning at 9 of the Clock.

Friday Morning, December 13, 1751. L. H. J. Liber No. 47 December 13

The House met according to Adjournment: The Members were called, and all appeared. The Proceedings were read.

The Bill entituled, An Act for the speedy Recovery of small Debts, &c. and the Bill entituled, An Act for the dividing of certain Warehouses, &c. were sent to the Upper House by Major Barnes and Major Selby.

The following Message; (See page 644)

Was sent to the Upper House by Mr. Stoddert and Mr. Gillis. p. 203

Mr. Wootton, from the Committee of Accounts, delivers to Mr. Speaker the following Report; viz.

By the Committee of Accounts, December 13, 1751.

In Obedience to an Order of the House of Delegates, we have proceeded to tax the several Fees and Charges following, as due to the Officers of the House, and others, on the Complaint of John Paca, Walter Tolly, William Smith, John Matthews, and others, against Thomas Sheredine, Sheriff of Baltimore County: That is to say,

To the Clerk, for thirty-two Summons, at 3 s	4	16	0
To Ditto, for Copy of the Report from the Committee of Elections and Privilege, duly attested	0	7	6
To the Serjeant, for serving 32 Summons	4	16	0
To Daniel McComus, for two Days Attendance as an Evidence, and itinerant Charges	1	4	0
To John Furlton, for two ditto as ditto, and ditto	1	4	0
To Isaac Wood, for two ditto as ditto, and ditto	1	4	0
To Charles Baker, for two ditto as ditto, and ditto	1	4	0
To Edward Morgan, for two ditto as ditto, and ditto	1	4	0
To James Lee, for two ditto as ditto, and ditto	1	4	0
To Skipwith Rigbie, for two ditto as ditto, and ditto	1	4	0
To Samuel Webb, for two ditto as ditto, and ditto	1	4	0
To Jacob Lusby, for two ditto as ditto, and ditto	1	4	0
To William Andrews, for two ditto as ditto, and ditto	1	4	0
To John Taylor, for two ditto as ditto, and ditto	1	4	0
To James Osbourn, for two ditto	0	8	0
	£. 23	11	6

All which is submitted to the Consideration of the Honourable House. Signed per Order, Beale Nicholson, Cl. Com.

On reading the said Report, the House concurs therewith; and Ordered, That Major Thomas Sheredine do pay the several Fees and Charges taxed by the said Committee, and mentioned in the said Report; and that, on Payment of the same, he be discharged from the Custody of the Serjeant at Arms.

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Ordered, That Major Thomas Sheredine be brought to the Bar of the House in Custody of the Serjeant, and that Mr. Speaker, from the Chair, do acquaint him with the Resolves and Order of the House.

Major Sheredine, in Custody of the Serjeant, appeared at the Bar; and Mr. Speaker acquainted him with the Resolves of the House, and that, on his Payment of the several Fees and Charges taxed by the Committee appointed for that Purpose, he was discharged from any further Attendance.

Capt. John Gassaway, late Sheriff of Anne Arundel County, who had the Execution of the late Writ of Election for the said County, attended at the Bar of the House, and certified the Return on the Back of the said Writ, according to the Direction thereof.

Col. Henry Hooper, one of the Members of this House, appointed to join the Members of the Upper House in preparing an Address to his Majesty, delivers to Mr. Speaker an Address to his Majesty accordingly: Which was read, approved, and ordered to be Ingrossed. (See pages 644-645)

p. 204 Col. Tasker, from the Upper House, delivers to Mr. Speaker a Petition of George Gordon, of Frederick County; Indorsed, "By the Upper House of Assembly, read and referred to the Consideration of the Lower House of Assembly." Which Petition was read here, and ordered to lie on the Table.

Edmund Jenings, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the dividing of certain Warehouses in Talbot County, &c. Indorsed, "By the Upper House of Assembly, December 13, 1751. Read the first and second Time by an especial Order, and will pass." Which Bill was read here, and passed for Ingrossing.

On reading and considering the Petition of George Gordon, the Question was put, Whether Leave be given to the Petitioner to bring in a Bill to suspend the Execution of the Act entituled, An Act for laying out and erecting a Town on Potowmack River, above the Mouth of Rock Creek, in Frederick County, until the next Meeting in Assembly; or Not? Resolved in the Affirmative.

For the Affirmative.

Mr Bond	Mr Gillis	Mr Addison
Barnes	R. J. Henry	Murdock
Mills	Handy	Gordon
Key	J. Goldsborough	W. Dulany
Williamson	Oldham	Hopper
Worthington	Edmonson	Wilkinson
Hall	Tilghman	Tillotson
J. J. Mackall	H. Hooper	Hollyday

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Mr B. Mackall	Mr C. Goldsborough	Mr Purnell	
Reynolds	E. Hooper	Selby	
Gantt	Sulivane	Evans	
Stoddert	Hyland	Scarborough	
Smallwood	George	D. Dulany	
Harrison	Pearce	Chaplin	
Waggaman	Earle		

For the Negative. p. 205

Mr Lee	Mr Crabb	Mr Magruder
Wootton		

Thereupon Leave is given to the Petitioner to bring in a Bill, according to the foregoing Resolve.

On Consideration of the Governor's Message of Yesterday, in Relation to the Governor of Boston's Letter; Resolved, That an Address be prepared to his Excellency, in Answer thereto.

Ordered, That the Committee of Laws do prepare and bring in the same.

His Excellency's Message of the 10th Instant, relating to Col. Cresap's Letter, &c. being considered by the House; it is Resolved, That an Address be prepared and sent to the Governor thereon.

Ordered, That the Committee of Laws do prepare and bring in the same.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker a Bill entituled, An Act for the Continuation of Actions, and securing the Peace and good Government of this Province; which was read the first Time, and ordered to lie on the Table.

The House adjourns until Tomorrow Morning at 10 of the Clock.

Saturday Morning, December 14, 1751. December 14

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were read.

On motion that an Address be prepared to the Right Honourable the Lord Proprietary; Ordered, That the Committee of Laws do prepare and bring in the same.

The Bill entituled, An Act for the Continuation of Actions, and securing the Peace and good Government of this Province, was read the second Time and passed, and sent to the Upper House by Mr. John Goldsborough and Mr. Murdock.

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed.

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Col. Henry, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed.

Mr. Hollyday, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed.

Col. Hammond, from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the Continuation of Actions, &c. Indorsed, "By the Upper House of Assembly, December 14, 1751. Read the first Time, and ordered to lie on the Table.

"Signed per Order, J. Ross, Cl. Up. Ho."

And thus: "By the Upper House of Assembly, December 14, 1751: Read the second Time by especial Order, and with the following Amendments will pass: In Line 7, Page 2, after the Word before insert the Words or since: After the Word and in the same Line, insert these Words, which either have been determined, or
p. 206 still depend and continue undetermined, instead of the Words remained undetermined until or after the Time of his said Death or Demise: In the 8th Line of the same Page, after the Word hereby, insert deemed: In the same Line, after the Word effectually, insert determined, or: Instead of the Word Estate, in the first Line of Page 4, put State: Leave out the Word Statute in the 17th Line of 2d Page, in 16th Line of 3d Page, and in the last Line of the last Page. Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was read here, and, with the Amendments proposed by the Upper House, passed for Ingrossing.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the Address to the King's Most Excellent Majesty, Ingrossed, and Signed by his Excellency the Governor, and by the Honourable President of the Council; which was, by Order of the House, Signed by the Honourable Speaker.

Col. Hooper, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The Humble Address of the House of Delegates of the said Province.

May it please your Excellency,

On considering Col. Cresap's Letter, and other Papers, sent with your Excellency's Message of the 10th Instant, we conceive his Demand unreasonable; and the more so, as no others complain of Injuries from those Indians. Therefore we do not think proper to burthen our Constituents with any Charge upon the Occasion.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker the Bill entituled, An Act for the speedy Recovery of small

Debts, &c. Ingrossed, " By the Upper House of Assembly, December 14, 1751. Read the second Time, and will not pass. L. H. J. Liber No. 47 December 14

" Signed per Order, J. Ross, Cl. Up. Ho."

And the following Message: (See page 645)

Ordered, That Mr. Murdock and Mr. Walter Dulany do acquaint the Governor, that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return and acquaint Mr. Speaker, that his Excellency signified he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. Murdock, and three more, do present the Address to his Excellency.

The following Message; (See page 646) p. 207

Was sent to the Upper House by Mr. Tillotson and Mr. Gillis.

Mr. Charles Goldsborough, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Excellency's Message with Governor Phipps's Letter, in Relation to the Payment of twenty-six Pounds thirteen Shillings and four Pence, advanced by John Wheelwright, Esq; Commissary-General of the Massachusetts Bay, for transporting two Persons who were taken up there on Suspicion of Murder committed in this Province, this House hath agreed to discharge that Claim by a Bill to be drawn on Mr. William Hunt, Merchant in London, by the Treasurer of the Western Shore, for the Sum of Twenty Pounds Sterling.

And what further reasonable Expence that Government were at in transporting those Persons from the Eastern Parts of that Province to Boston, and maintaining them during their Confinement there, we shall readily discharge, when Account thereof shall be laid before us.

As to the Charge attending the Transportation of the Prisoners from Quebeck to Boston, this House have referred the Consideration thereof to the next Assembly.

Which was read and assented to, and Signed, by Order of the House, by the Honourable Speaker.

The House adjourns for an Hour.

Post Meridiem.

The House met according to Adjournment.

M^r^ Charles Goldsborough from the Committee of Laws delivers to M^r^ Speaker the following Address Viz.

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To The Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore in the Kingdom of Ireland

The Humble Address of the Delegates of the Province of Maryland.

We his Majestys most Dutifull and Loyal Subjects the Delegates of the Freemen of your Province of Maryland in Assembly convened beg leave to Embrace this opportunity of Condoling your Lordship on the Death of your noble Father our late Lord Proprietor, and at the same time to Congratulate your Lordship in your succeeding to the Proprietorship of this Province since under your Lordship We hope to Enjoy all the Blessings arising from a Wise and Prudent Administration We return your Lordship our Sincere Thanks for your Continuing his Excellency Samuel Ogle Esq^{r} in this Government as from his good Inclinations towards us we have
p. 208 the greatest reasons to Expect a Mild and Just Execution of the Power of that Station

Which was read approved and ordered to be Ingrossed.

On motion that an Address be prepared to his Excellency the Governor, requesting him to transmit to the Right Honourable the Lord Proprietary the Address of this House; Ordered, That the Committee of Laws do prepare and bring in the same.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker the following Message; viz. (See page 646)

Mr. Tilghman, from the Committee of Laws, delivers to Mr. Speaker an Ingrossed Bill entituled, An Act for the dividing of certain Warehouses in Talbot County, therein named; which was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by Mr. Charles Goldsborough and Mr. Tilghman.

Ordered, That Col. Harrison and Mr. George do acquaint his Excellency that this House hath prepared an Address to him, and desires to know when and where he will be pleased to receive it: They return and acquaint Mr. Speaker, that the Governor was pleased to signify that he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Mr. James John Mackall, with three more, do present the Address to his Excellency.

The following Message;

By the Lower House of Assembly, December 14, 1751.

[This message does not appear in U. H. J.]

May it please your Honours,

This House having considered your Message of the 12th Instant, in Relation to the House designed for a Governor, have Resolved not to intermeddle therewith, or interfere in any Thing relating thereto at present. We apprehend the Loss cannot be retrieved, nor the Public benefitted, by being at any further Expence about it.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Capt. Lee and Mr. Gantt. L. H. J. Liber No. 47 December 14

Mr. Hollyday, from the Committee of Laws, delivers to Mr. Speaker the Address to the Right Honourable the Lord Proprietary, Ingrossed; which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Mr. Key, from the Committee of Laws, delivers to Mr. Speaker an Address to the Governor; which was read, approved, and ordered to be Ingrossed.

On reading the Representation of Mr. Henry Baker, relating to the Election of Mr. Michael Earle, a Delegate for Cæcil County; the same is referred to the Consideration of the next Assembly.

Major Hall, from the Committee of Laws, delivers to Mr. Speaker p. 209 an Ingrossed Bill entituled, An Act for the Continuation of Actions, and securing the Peace and good Government of this Province; which was read and assented to, and sent to the Upper House, with the Paper Bill, by Mr. Key and Mr. Hollyday.

Mr. Hollyday, from the Committee of Laws, delivers to Mr. Speaker the following Ingrossed Address; viz.

To his Excellency Samuel Ogle, Esq; Governor of Maryland,

The Humble Address of the House of Delegates.

May it please your Excellency,

This House having agreed to an Address to the Right Honourable the Lord Proprietary, humbly intreat your Excellency would be pleased to transmit the same, so that it may be delivered to his Lordship.

Which was read and assented to, and signed, by Order of the House, by the Honourable Speaker.

Ordered, That Col. Henry Hooper and Mr. Wootton do acquaint his Excellency that this House hath prepared an Address to him, and desires to know when and where he will please to receive it: They return and acquaint Mr. Speaker, that the Governor signified he was ready to receive the Address immediately in the Conference Chamber.

Ordered, That Col. Henry Hooper, and five more, do present the Address to his Excellency; and deliver the Address to the Right Honourable the Lord Proprietary to the Governor at the same Time.

The Governor communicates to Mr. Speaker the following Message; viz.

Gentlemen of the Lower House of Assembly,

I will take Care to transmit your Address to the Right Honourable the Lord Proprietary, so that it may be delivered to his Lordship; and I return you my hearty Thanks for the kind Mention you have been pleased to make of myself. Sam. Ogle.

Col. Tasker, from the Upper House, delivers to Mr. Speaker the Paper Bills (the Ingrossed Bills of which having been read and

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assented to by both Houses), severally Indorsed, " By the Upper House of Assembly, December 14, 1751. The Ingrossed Bill, whereof this is the Original, is read and assented to.

" Signed per Order, J. Ross, Cl. Up. Ho."

On motion that no public Business lies before the House, Ordered, That Col. Henry and Mr. Walter Dulany do acquaint his Excellency, that no Business is now depending before this House.

Daniel Dulany, Esq; and Col. Lloyd, from the Upper House, acquaint Mr. Speaker, that the Governor requires the immediate Attendance of the Lower House in the Council Chamber.

Mr. Speaker left the Chair, and with the Members of the Lower House, attended his Excellency the Governor in the Council Cham-

p. 210 ber; where [the following ingrossed bills were presented, see page 647]

His Excellency made the following Speech; viz. (See page 647)

So endeth this first Session of Assembly, this Fourteenth Day of December, Anno Domini 1751.

Test. M. Macnemara, Cl. Lo. Ho.

ACTS OF ASSEMBLY PASSED IN DECEMBER 1751

At a Session of Assembly begun and held at the City of Annapolis the seventh Day of December in the first Year of the Dominion of the Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. Annoq Domini 1751 and ending the fourteenth day of the same Month. Liber B.L.C. p. 551

The following Laws were Enacted and Assented to by his Excellency Samuel Ogle Esquire, Governor.

An Act for the Dividing of certain Warehouses in Talbot County, therein named. [No. 1.]

Whereas it is represented to this General Assembly, that the Warehouses for Inspecting Tobacco, at Thomas Bruff's and Old-Field Landing, and that of Philip Emerson's, on his Dwelling Plantation in Talbot County (all at present under one and the same Inspection), are so remote from each other, and the Quantities of Tobacco brought into them so great, that the Office of Inspectors for the said Houses cannot be duly executed. [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Warehouses above-mentioned shall, and are hereby deeclared to be under two separate and distinct Inspections; and that the Warehouse at Thomas Bruff's Landing be under one Inspection; and the Warehouses at Old Field Landing and that of Philip Emerson's, at his Dwelling Plantation in Talbot County, be under one Inspection; any Thing in the Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, or any other Act, to the contrary in any wise notwithstanding. [Warehouses therein mentioned divided.]

And be it further Enacted by the Authority aforesaid, That there shall be paid to the Inspectors appointed to attend at the aforesaid Warehouses, the Salaries hereafter mentioned; that is to say, To each Inspector for the Warehouses at Old Field Landing and Philip Emerson's, the Sum of Forty Pounds Current Money per Annum; and to each Inspector for the Warehouse at Thomas Bruff's Landing, the Sum of Forty Pounds Current Money per Annum; any Thing in the above-recited, or any other Act, to the contrary notwithstanding. [Respective Salaries of the Inspectors.]

Liber B.L.C. [Nomination of the said Inspectors in whom vested.] And be it further Enacted and Declared, That the Vestrymen and Churchwardens of the respective Parishes, in which the said Warehouses are, shall, and they are hereby directed and required, at some Time, on or before the first Day of February next, to nominate and recommend to his Excellency the Governor, or Commander in Chief for the Time being, four able and sufficient Planters, well skilled in Tobacco, to attend for the ensuing Year at each of the Inspections by this Act above established; and shall forthwith transmit a Certificate of such Nomination and Recommendation to the Governor, or Commander in Chief for the Time being, in the same Manner as, in like Cases, by the above-recited Act is required and directed: And that thereafter, the Time of choosing Inspectors, to attend at the said Warehouses, shall be between the first and tenth Day of September yearly.

[Continuance of this Act.] This Act to continue until the first Day of December, Anno Domini One thousand seven hundred fifty and three.

14th December 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this Be a Law
Sam: Ogle

the Great Seal in wax appendt

14 Decemr 1751
Read & Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct. Up. H.

[No. 2.] p. 552 An Act for the Continuation of Actions, and securing the Peace and good Government of this Province.

[Preamble.] Whereas many Writs, Precepts, Process, and Judicial Proceedings have been issued, had, and executed, and several Courts of Judicature have been held in this Province, in the Name and Stile of the late Right Honourable Charles, Lord Proprietary, since his Death or Demise; and the several Judges, Justices, Magistrates, and Ministers of Justice, and also the Officers and other Persons within this Province, Commissionated by the said late Proprietary, or his Lieutenant Governor for the Time being, not knowing that the said late Proprietary had departed this Life, have, since the Death or Demise of the said late Proprietary, under and in Virtue of their said respective Commissions, and the Authority of the same, done, acted, and performed such Duties and Services, and other Matters and Things, as appertain and properly belong to their respective Functions, Offices and Stations: And for that it is the Intent of this General Assembly, that no Disappointment or Inconvenience whatsoever should happen or arise to any Suitors by Discontinuance, or other Error or Cause of Exception, by Means or Occasion of the Death or Demise of the said late Lord Proprietary, or his Name and Stile being used, observed, and pursued in such Writs, Precepts,

Process, and Judicial Proceedings, or any Censure, Damage, Loss, or Inconvenience whatsoever, should happen or arise to the said Judges, Justices, Magistrates, and Ministers of Justice, or the Officers or Persons commissionated by the said late Proprietary, or his said Lieutenant Governor, for having exercised, done, put in Practice, or performed any Matter, Thing, Act, Service, or Duty whatsoever, properly belonging or appertaining unto their respective Functions, Offices, and Stations, since the aforesaid Death or Demise of the said late Proprietary. Liber B.L.C.

And whereas it is necessary to the Peace and Welfare of this Province, that upon any emergent Occasion, some Person or Persons residing within this Province, should be sufficiently authorized and impowered to call and summon the General Assembly of this Province, for the Providing, Establishing, and Enacting of good and salutary Laws; which, by the undoubted Constitution of this Province, cannot be made, ordained, established, or enacted, but by and with the Consent of the Freemen of this Province, by their several and respective Delegates and Representatives legally called together and assembled by the Lord Proprietary for the Time being, or some other Person or Persons by him for that End and Purpose properly constituted, authorized, and appointed.

And whereas it is also necessary, for the good Rule and Government of this Province, that Justice should be always administred, the Laws executed, and the public Services of the Province constantly performed.

[All Pleas, Actions, &c. commenced, depending, or determined, at the Time of the Death of the late Lord Proprietary, to be deemed valid, notwithstanding the Demise of the said Proprietary.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Pleas, Actions, Suits, and other Prosecutions and Proceedings whatsoever, in any Court of Judicature within this Province, that were commenced or depending before or since the Death or Demise of the aforesaid late Lord Proprietary, and which either have been determined, or still depend and continue undetermined, shall be, and are hereby deemed as effectually determined or continued, to all Intents, Purposes, and Constructions whatsoever, as if no such Death or Demise had happened; any Defect or Error in such Proceedings, occasioned only by the Death or Demise of the said late Proprietary, or his Name and Stile being used or observed in such Writs, Precepts, Process, and Judicial Proceedings, or any Want of Authority in the aforesaid several Courts, by Means or Occasion of the Death or Demise of the said late Proprietary, notwithstanding.

[Proceedings of the Courts of Judicature confirmed.]

And be it further Enacted, That the Proceedings of the several Courts of Judicature within this Province, until this Time, be and are hereby confirmed, so that no Advantage shall be taken of any Want of Authority, Defect, or Error, in such Proceedings, occa-

Liber B.L.C. sioned by the Death only of the said late Lord Proprietary; but that all such Defects and Errors be and are hereby perfectly and effectually aided, according to the true Intent and Meaning of this Act; any Law, Usage, or Custom, to the contrary notwithstanding.

[Also all Acts, Matters, or Things whatsoever, done or performed since the said Demise of the late Lord Proprietary.] p. 553

And be it further Enacted, That every Act, Matter, or Thing whatsoever, done, executed, or performed, since the Death or Demise of the aforesaid late Right Honourable the Lord Proprietary, by any Person or Persons whatsoever, commissionated or appointed by the said late Proprietary, or his Lieutenant Governor, or any other Person or Persons whatsoever, properly and legally authorized, constituted, or appointed thereto, in Pursuance of their respective Offices or Commissions, shall be deemed, adjudged, and taken, and to all Intents, Constructions, and Purposes whatsoever, stand, be, and remain as good, effectual, and available, and have the same Force, Strength, and Effect, as if the said late Lord Proprietary had not deceased or departed this Life, as to any Defect or Error, or Want of Authority, to be alleged or objected, by Means or Occasion of his said Death or Demise only; any Law, Usage, or Custom, to the contrary notwithstanding.

[And the several Acts of Assembly passed in May 1751.]

And be it likewise Enacted, That the several Acts made at a Session of Assembly begun and held at the City of Annapolis, the fifteenth Day of May last, be and are hereby made good and valid in Law, to all Intents, Constructions, and Purposes whatsoever, for and during the Continuance mentioned in the said several and respective Acts; the Death or Demise of the said late Charles, Lord Baltimore, notwithstanding.

[None of the above-mentioned matters to be rendered void by the Death of any future Proprietary.]

And be it further Enacted, That from henceforth, by the Death or Demise of the Right Honourable the Lord Proprietary that now is, or by the Death or Demise of any of his Heirs or Successors, who shall have legal Right to the Government of the said Province, no Action, Suit, Bill, or Plaint, or any Prosecutions or Judicial Proceedings whatsoever, now depending, or that shall hereafter depend, shall determine, be discontinued, or put without Day; but that the Process, Pleas, Demurrers, and Continuances, in every Action, Actions, Suits, Bills, or Plaint, which now or hereafter shall depend in any of the Courts within this Province, shall stand good, effectual and available, and be prosecuted and sued forth in such Manner and Form, and in the same State, Condition, and Order, as if such Proprietary had lived and continued in full Life; such Death or Demise as aforesaid notwithstanding. And that all and all Manner of Process and Judicial Proceedings whatsoever, that have been, or shall hereafter be had or pursued in the Time of any other than the Proprietary, at the Time of the Pursuit of the Original, or other former Process, shall be made in the Name of the Proprietary for the Time being, the said Proprietary having legal Right to the Government of

the said Province, after due and public Notice or Proclamation given or made of the Death or Demise of such Proprietary, by such Person or Persons as shall be properly and legally authorized and appointed thereto; and that Variance, touching the same Process, between the Names of the Proprietaries, shall not be any wise material, as concerning any Default to be alleged or objected therefore: And that all Writs, Precepts, Actions, Suits, Pleas, Process, and Judicial Proceedings whatsoever, that shall be hereafter issued, had, done, continued, or executed in the Name of any Proprietary having legal Right to the Government of the said Province, after the Death or Demise of such Proprietary, and before due and public Notice or Proclamation thereof given and made, in the respective Counties within this Province, by such Person or Persons as shall be properly and legally authorized and appointed thereto, shall be good, effectual, and available in Law, to all Intents, Constructions, and Purposes whatsoever; the Death or Demise of such Proprietary notwithstanding. Liber B.L.C.

[Commission of the Governor for the Time being, Judges, Justices, &c. to be continued notwithstanding the Death of the said Lord Baltimore.]

And be it further Enacted, That from henceforth the Commission, Power or Authority of the Lieutenant Governor, or Commander in Chief of this Province for the Time being, shall not be determined or dissolved, by the Death or Demise of the Right Honourable the Proprietary that now is, or any of his Heirs or Successors, having legal Right to the Government of the said Province; but that such Lieutenant Governor or Commander in Chief shall continue and act as such, until he shall be lawfully removed or discharged, or his Commission superseded or determined by the next Successor. And that hereafter all Judges, Justices, Magistrates, Ministers of Justice, and all and every Person and Persons in any of the Offices, Places, and Employments within this Province, shall continue and act in their respective Offices, Places, and Employments, according to their respective Functions, Duties, and Stations, notwithstanding the Death or Demise of the Right Honourable the Lord Proprietary that now is, his Heirs or Successors, until they shall be lawfully removed or discharged, or their respective Commissions superseded or determined by the next Successor, or the Lieutenant Governor or Commander in Chief, for the Time being; any Law, Usage, or Custom, to the contrary notwithstanding.

14th December 1751
Read and Assented to by the Lower House of Assembly
Signed p Order
M. Macnemara Ct lo ho.

On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.
Sam: Ogle

The Great Seal in Wax Append[t]

14. December 1751
Read and Assented to by the Upper House of Assembly
Signed p Order
J Ross Ct Up. H.

Liber B. L. C. p. 554

I hereby Certify that Richard Burdus clerk of the Provincial Court and of the Secretarys Office of the Province of Maryland this Day Personally appeared before me the subscriber one of the Right Honourable the Lord Proprietary of the Province aforesaid his Council of State and made Oath on the Holy Evangelists of Almighty God that he carefully Examined all the Laws contained in this Book beginning at folio five hundred and fifty one and ending at folio five hundred and fifty three with the Original Acts that Passed the Great Seal.

Sworn to this Twenty fourth Day of February Anno Dom. 1752.

Bened[t] Calvert

SEAL

The Seal of the Provincial Court is hereunto Affixed on behalf of Edmund Jenings Esquire Secretary of Maryland

R. Burdus Clk Secrys Office & Prov[l] Court.

APPENDIX

APPENDIX

Orders & Instructions to our right Trusty & well Beloved Samuel Ogle Esq^r. our Lieutenant Governor of our Province of Maryland

Calvert Papers No. 295½ 1749/50, Feb. 6 p. 117

SEAL

It Appearing that all undue Concessions serve only to Lay a foundation for further Incroachment & Endless Disputes, you must be very Carefull for the future, not to part with or to Lessen in the Least degree any of my Just rights, & to Observe all my former Instructions, w^th the Greatest Exactness, and in particular those of the 26 March 1743, w^ch you must take care to have Enterd in the Journals of the Council w^th such other Instructions as you may receive from time to time, that none in the Council may be Ignorant of my Just Expectation

If any further devisions of Countys shou'd be propos'd, you must take care not to Let any Bill pass for that purpose till I am satisfyed of the necessity or usefullness of such a bill, or unless their be a Clause in it that it shall not take place till my Assent be given to it.

As I have never sent you any Instructions or ever shall, but what are founded on Justice & Equity, I make no doubt, but you will always find all Reasonable men, ready to support you & I am perswaded the Upper House will give their Negative, to whatever bills are unfit to be passed, however if Contrary to Expectation, it shou'd at any time happen otherways, you are at all events to take care that the said bills do not pass, And as for any Law that may be for the Real Happyness & prosperity of the province, no Body shall ever be Readier to Come into it then myself, as every such Law, must of course tend to my own Interest, & that of my Tenants p. 118

Given under our hand & Lesser Seal at Arms at London this 6^th day of Feb^ry in the Thirty sixth Year of our Dominion over the said Province Anno Domini 1749-50

By his Lordship's Command

Jn° Browning, Secretary

[Alexander Adams to Col. John Henry]

Black Book No. 10 Letter No. 34 1750, May 14

S^r

You express'd last year a great concern for the people in Nanticoke hundred in Worcester County I hope by a petition lying before your house of Assembly you will see that care is taken of them that it pass y^r house you know w^t a compact parish it will be both the N. west fork hundred in Worcester County & the Nanticoke hundred in Worcester County are so contiguous to the N. East branch that it will not be so stragling or so long a parish as the many branches

Black Book No. 10 Letter No. 34 1750, May 14

of Rivers make other parishes especialy that in which you live the people say that they design to petition both county courts for a bridge over the N. East branch because the wading places are difficult in a fresh—I understand that the taxable persons are towards six hundred which is a great deal more then my parish was when I came first to it. the people up Nanticoke tell me th[t] you will be th[r] friend in this point & I hope you will engadge the rest of the house to it. use y[r] entrest with Coll King & y[r] Brother to whom present my service & tell y[r] Brother to bring home with him M[rs] Whittinghams patent

M[r] Sullivan seem[d] to be ags[t] it last year when I was speaking about it I need not tell you how to engadge him & M[r] Lecount for it will neither affect M[r] Dell or myself during our lives except hereafter we should voluntarily surrender

if there should be any obstacle in the Upper house about it give my duty to his excellency the Gov[r] & the Hon[ble] Upper house & acquaint them that it is the very same thing which I acquainted them with last year that it would make a plott of ground pretty near 20 miles square

pardon this trouble for y[r] Zeal for the people & their dependence on you prompts me to request y[r] active endeavour on the premisses if their should be any obstacle which I hope there will not

Stepney parish May 14[th] 1750

I rest

Y[r] humble Serv[t]

Alex[r] Adams

P. S. let me know by Capt Day Scott how tis like to goe

Black Book No. 1 Letter No. 30 1750, May 14

To his Excellency Samuel Ogle Esq[r] Governor of Maryland and To the Honourable the Upper and Lower Houses of Assembly.

The petition of George Catto of Cecill County Gentleman and Araminta his wife Executrix of the Last Will and Testament of M[r] William Alexander of Cecill County aforesaid her former Husband Deceased. Humbly sheweth.

That the said William Alexander Died Considerably in Debt to sundry persons more than the whole amount of his Personal Estate besides a Large Debt Due to the Commissioners of the Paper Currency Office.

That your Petitioner Araminta having paid away the said Estate as far as it would go (as by the Commissary General's Office may appear) there is a Debt Due to the said Office Antecedent to a Marriage Settlement made on your Petitioner Araminta her Marriage with the said Alexander

That the said William Alexander Died possest of a House in Annapolis, in which M[r] George Atkinson now Lives, part of the said Alexander's Real Estate, and which by Distance of your petitioners

Black Book No. 1 Letter No. 30 1750, May 14

is Rather a Charge than Profit to the said Estate, and likely so to Continue or Run to Decay so as to be no benefit to the said Alexander's future Successors.

Therefore Your Petitioners humbly pray that Leave may be given to bring in a Bill for your Petitioners to sell and Dispose of the said House that they may be better enabled to pay and Discharge the said Debt and that the Surplus of the money remaining after such Debt paid may be applied to the same uses as the said House now is Subject to.

And your petitioners shall pray &c.

May 14th 1750 William Cummingly Petr

Black Book No. 1 Letter No. 56 1750, May 21

To his Excellency Samuel Ogle Esqr Governor of Maryland and the Honble the Upper & Lower Houses of Assembly.

The Petition of Joseph Hall of Calvert County Humbly Sheweth

That Your Petr in the Year 1746 Entered into a Charter Party with Benjamin Tasker Esqr and Doctr Charles Carroll two of the Agents appointed by Act of Assembly for the Province of Maryland for providing necessarys & Transports for his Majestys Forces to be raised in the said Province, and Transporting them to the place of general Rendezvous at Albany in the Province of New York

In Consequence of which he Provided a Sloop and qualified according to the directions & Clauses in the said Charter Party, and Brought the said Vessel to Annapolis where she lay a Considerable time Ready and Waiting to take on Board so many of the Forces as should be Allotted to her share or Proportion. But so it happened it Please Your Excellcy & Hoñrs that by some false Reports and other Insinuations to his Excellcy the then Govr that your Petrs Sloop was Rotten and unfit for his Majesty's Service, surveys were had upon the said Vessel (on One of which Surveys Doctr Charles Carroll One of the Agents above mentioned was present) when she was adjudged fit for the sea; but afterwards was Refused to be Received into pay or Accepted on, by the then Governor's Orders (as Yr Petr was Informed) notwithstanding the said Sloop Ran two years and an half from thence forward without any Repairs save Caulking and Trimming as Your Petr is Ready and able to prove, by which means yr Petr was greatly Damaged he having Put himself to Sixty pounds Current money Extraordinary Expence in fitting the said Vessel for the Voyage; all which Yr Petr humbly hopes Your Excellcy & Honrs will think Reasonable to be Reimbursed him by the Province of Maryland, as he did his Endeavour and Suffered so greatly by the Disapointment

And he as in Duty &c.

Joseph Hall

By the Upper house of Assy 21 May 1750

Read and Rejected

Signed p Order J. Ross Ct. Up. Ho.

ERRATA

Page 49, Edward Jenings, read Edmund Jenings.
Page 93, Carroll Worthington, read Carroll Worthington.
Page 95, Robin, read Robins.
Page 101, I Ross, read J. Ross.
Page 102, Bucanon, read Buchanan.
Pages 213, 220, 223, 243, Owings, read Owen.
Page 286, J. Waggaman, read H. Waggaman.
Page 290, Ownis, read Owens.
Page 376, Capt. Matthews Travers, read Capt. Henry Travers.
Page 575, Northington, read Worthington.
Page 640, John James Mackall, read James John Mackall.
Page 645, Gills, read Gillis.

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Words marked with a star are names of tracts of land. No entry is made of references of a purely formal nature relating to Samuel Ogle, Governor of the Province; the Lord Proprietary; the King of England; of Annapolis as the Seat of Government; the Speaker of the Lower House; John Ross, Clerk of the Upper House; Michael Macnemara, Clerk of the Lower House; Levies and Tobacco. List of Acts passed at the Session of May 10, 1748, appears on pages 55 and 56; of the Session of May 24, 1749, pages 230-231; of the Session of May 8, 1750, pages 373-375; of the Session of May 15, 1751, pages 534-536; and of the Session of December 7, 1751, page 647.

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